

**Reconstructing Exclusion:
State-Humanitarian Crime and Practices of Land Resistance
in Post-Disaster Haiti**

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Submitted in partial fulfilment of the requirements
of the Degree of Doctor of Philosophy

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Abstract

This thesis examines the criminogenic political economy surrounding Haiti's earthquake reconstruction process. It uses eleven months of qualitative fieldwork in Port-au-Prince, Haiti, to analyse the actions and decision-making processes of the Haitian state and humanitarian organisations in the urban housing sector, and traces their effects on the everyday lives of earthquake-affected Haitians. Despite organisational claims of victory in 'ending displacement' in Haiti, my thesis reveals the collusion between states and humanitarian organisations in reproducing urban exclusion and violating human rights. As evidence, this thesis presents a continuum of harms committed by humanitarian organisations and their complicity in state organisational deviance. The thesis also examines the ways in which earthquake victims have applied sanctions to the illegitimate acts of states and humanitarian organisations. Engaging with state crime theory, this thesis considers the extent to which humanitarian acts and omissions in Haiti's housing sector may be considered criminal. In doing so, it develops a concept of state-humanitarian crime that refocuses attention on humanitarian organisations as important subjects of criminological inquiry.

Acronyms

ALNAP	Active Learning Network for Accountability and Performance in humanitarian action
CCCM	Camp Coordination Camp Management
CIAT	Comité Interministériel d'Aménagement du Territoire (Inter-Agency Commission on Land Use Planning)
CRS	Catholic Relief Services
DFID	Department for International Development
DGI	Direction générale des impôts (Tax Office)
DINEPA	Direction Nationale de l'Eau Potable (National Unit for Water and Sanitation)
DPC	Direction Nationale de la Protection Civile (Civil Protection)
DTM	Displacement Tracking Matrix
ECHO	European Commission's Humanitarian Aid Office
EU	European Union
IASC	Inter-Agency Standing Committee
ICRC	International Committee of the Red Cross
IDJH	International Democracy and Justice Institute for Haiti
IDP	Internally Displaced Person
IFI	International Financial Institution
IHRC	Interim Haiti Recovery Commission
IMF	International Monetary Fund
IOM	International Organization for Migration
IFRC	International Federation of Red Cross and Red Crescent Societies
J/P HRO	J/P Haitian Relief Organization
MoP	Ministère de la Planification et de la Coopération Externe - Ministry of Planning
MPP	Mouvman Peyizan Papay (Papaye Peasant Movement – Haiti)
MTPTC	Ministère des Travaux Publics, Transports et Communications (Ministry of Public Works, Transport and Communication)
MINUSTAH	United Nations Stabilization Mission in Haiti
NGOs	Non-governmental organizations
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
PARDH	Action Plan for National Recovery and Development of Haiti (<i>Plan d'Action pour la Reconstruction et le Développement d'Haiti</i>)
PDNA	Post Disaster Needs Assessment
PWLG	Property Law Working Group
RSCG	Rental Subsidy Cash Grant Programme
UCLBP	Unité de Construction de Logements et de Bâtiments Publics (Unit for Construction of Housing and Public Buildings)
UN	United Nations
UN-HABITAT	United Nations Human Settlements Programme
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development

Introduction: Disasters, Housing, and the Political Economy of State-Humanitarian Crime

On July 7, 2018, anti-government protests exploded throughout Port-au-Prince, Haiti, setting the city ablaze. In the course of the demonstrations, several luxury hotels, supermarkets, and other businesses owned by high-profile Haitian elites were attacked by protestors. Several civil society groups and academics interpreted the violence as a sign of growing frustration with elite corruption and inequality, given that protestors had deliberately attacked symbols of elite wealth in the city. Explaining the protests, Haiti Info Project, a group of investigative journalists, tweeted: ‘corruption, violence, hunger and misery are taking their toll.’¹ Indeed, in today’s Haiti, 60% of Haitians live under the poverty line, and the average income of Haitians has fallen steadily since 2015.² Haiti has reached yet another boiling point in its tumultuous history.

Haiti’s recent political protests are part of a long history of struggle against elite privilege within a country ranked as one of the world’s most unequal.³ What is unique about the present situation, however, is how it specifically implicates a very recent period of international intervention in Haitian society and politics. From 2010 to 2015 – which I have bracketed in this thesis as the main period of international humanitarian response to the January 2010 earthquake – close to US\$9.5 billion was disbursed in the name of Haitian disaster relief and reconstruction.⁴ This sum of money, mainly comprised of foreign government aid, is so large that it even surpasses the total cost of damage caused by the January 2010 earthquake (total losses in physical infrastructure, houses, and economic activity were estimated to be US\$7.8 billion) (Ramachandran & Walz, 2012). Such staggering amounts of aid reasonably imply that the small island nation should be in a much better position than is the case today. In fact, the very goal of the humanitarian intervention – as famously articulated by Bill Clinton – was to ‘build back better’ (Fan, 2013).

¹ Haiti Info Project (2018) 6 July. Available at <https://twitter.com/haitiinfoproj/status/1015407067790626816?lang=en>

² See The World Bank in Haiti at <http://www.worldbank.org/en/country/haiti/overview>

³ See The World Bank in Haiti at <http://www.worldbank.org/en/country/haiti/overview>

⁴ See Office of the Secretary General’s Special Advisor on Community-Based Medicine and Lessons from Haiti at <https://www.lessonsfromhaiti.org/lessons-from-haiti/key-statistics/>

The U.S.-led humanitarian intervention did little to improve post-earthquake conditions in Haiti. To the contrary, international involvement in earthquake reconstruction is frequently referred to as the ‘disaster after the disaster’ (see Katz, 2013; Schuller, 2010). There are different ways to explain this. On the one hand, post-disaster Haiti became a new marketplace for non-profit organisations, UN agencies, private companies, and several branches of the U.S government, who used donor funds to expand their own operations and test out new urban commodities and approaches. In the end, some 99% of aid funds for Haiti’s relief and recovery were channelled directly to foreign organisations (Ramachandran & Walz, 2012). Furthermore, because much aid was absorbed by organisational operating costs, little aid landed directly in the hands of actual victims. This imbalance was replicated at the local level. Haiti’s largest companies received far more aid money than the grassroots NGOs and community groups providing frontline assistance to affected populations.⁵ In fact, Haitian first responders and advocates received twelve times less than the amount provided to Haitian businesses for their contracted relief services (Ramachandran & Walz, 2012, p. 11). These facts alone point to a dramatic story about the hidden motives and exploitative structures underpinning a foreign intervention that pledged to help Haiti and revitalize its urban centre.

Haiti’s experience exposed the fundamental contradictions of aid and tested the moral legitimacy of the global humanitarian sector. The humanitarian intervention was rife with accusations of human rights abuse and criminality, perpetrated by the very institutions mandated to assist earthquake-affected Haitians. Some extreme examples of organisational crime included rape and sexual abuse by UN peacekeepers and international staff from non-profit humanitarian organisations. Media revelations of sexual misconduct by Oxfam workers, for example, and Oxfam’s subsequent cover-up of these events, put the humanitarian sector at one of its highest levels of public scrutiny in recent history (Rawlinson, 2018). Notwithstanding their seriousness, these abuses pale in comparison to the UN’s role in contaminating Port-au-Prince’s main water sources with cholera during the disaster relief operation. Between October 2010 and July 2017, 9,693 Haitians died of cholera and there were 814,551 cases of cholera-related illness (OCHA, 2017). Sparing and belated public apologies

⁵ Almost 70% of the US\$10 million in aid given to Haitian businesses went to its three largest companies, while NGOs and civil society groups received only US\$800,000 to help their local communities (Walz & Ramachandran, 2013).

were made by the U.N. and Oxfam, but neither were held accountable for their actions nor was an adequate remedy provided to the victims (Pilkington & Quinn, 2016). The high degree of impunity exemplified by these cases raises speculation about the systematic occurrence and invisibility of humanitarian-related crime within the spaces of aid.

I. Bringing International Humanitarianism into a Criminological Framework

For reasons of their power and privilege, and their potential to harm the world's most vulnerable people, this thesis advocates for deeper consideration of humanitarian institutions as subjects of criminological inquiry.⁶ By 'humanitarian,' I am referring to organisations involved in the 'independent, neutral, and impartial provision of relief to victims of armed conflicts and natural disasters' (Barnett & Weiss, 2011, p.9). For some time now, the saviour-like representations of international humanitarianism have shaped how academics and the broader public perceive the work of humanitarian organisations as both benign and necessary. Humanitarian institutions have therefore received very little criminological attention, and when they have, their specific contributions to harm production are often vaguely defined or under-examined (Dandoy, 2013; Green & Ward, 2004, p. 54; Collinson, 2016). Some criminologists have engaged with the humanitarian field through their examination of state violations of international humanitarian law and the manipulation of humanitarian principles to justify state crimes. The U.S. invasion of Iraq is one of the most prominent examples in this respect (see Kramer & Michalowski, 2005; Whyte, 2007, 2010).

However, criminological study in crisis zones has tended to position humanitarian *organisations* as separate or opposed to the criminal acts of others, such as states, in line with powerful international interpretations of humanitarian activity.⁷ International humanitarian

⁶ In making this point, I acknowledge there are recent efforts to develop a criminology of aid to better engage with the ways that international organizations exercise power and cause harm within global interventions (see Dandoy, 2013, pp. 2-6). A criminology of humanitarianism research network has been established to bring together criminologists interested in the discourses and actions of humanitarian organisations (see <https://www.jus.uio.no/ikrs/english/research/projects/criminology-of-humanitarianism-/>). Some 'crimmigration' scholarship has also considered the relationship between humanitarianism and penal power (see Bosworth, 2017; Aas and Grundhus, 2015). See also the Border Criminology blog series on penal humanitarianism at <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2019/03/introducing-new>. Accessed: 4 March 2019.

⁷ Humanitarian action is justified by international humanitarian law and international human rights law. It is normatively constructed as benevolent, short-term charity necessary for responding to human need and alleviating human suffering (Lohne and Sandvik, 2017). There are widely held assumptions that humanitarian

organisations thus appear above the fray of wrongdoing, or conceivably, less capable of perpetrating significant harm relative to other powerful actors in the global political economy. An illustrative example is Collins' (2014) reading of state crimes in Haiti. Collins carefully inventories the failings of the Haitian state in relation to its legal duties and responsibilities to displacement victims. While she rightly details the omissions of the Haitian state, her analysis fails to capture the dominant role of humanitarian organisations in the governance of displaced people, as well as the complex interactions between states and humanitarian organisations in violating displaced people's human rights. Collins's work suggests that despite critical criminology's rising interest in the globalised aspects of crime and social control, the intersections between humanitarianism and state power, and the structural and operational harms caused by humanitarian practices, are still largely overlooked within the discipline.⁸

This thesis aims to address this gap by assessing the criminological significance of humanitarian power relations and the systemic capacity of humanitarian organisations for harm production. Observers of the growing intensity of global production processes note that capitalist reproduction requires 'a vast coming together of actors, resources and transactions, responsible for organising, at a molecular social-level, all the activities essential to its intensive and extensive drives' (Lasslett, 2018, p. 13). With that in mind, critical criminologists are urged to identify and expose the different forces behind these "predatory assemblages" that sustain extreme forms of human suffering (Sassen, 2014, p. 13). International humanitarian organisations are relevant to criminological inquiry because of their structural relationships and dependency on states; their intrusive and often-disciplinary practices; and their routinized take-over of government functions when global south states fail in their responsibilities to citizens (Duffield, 2001; Donini, 2010). These organisations are increasingly known for deploying harmful capitalist ideologies, dominating powerless groups, and enforcing social and territorial hierarchies – all of which can augment already catastrophic levels of human poverty, social inequality, and corruption. Furthermore, the systematic involvement of humanitarian organisations in migration management and poverty governance has attracted particular

activity generally follows rules, standards and norms outlined in international law and ethical practice (see Slim, 2015).

⁸ Some good examples include Barnett and Finnemore (1999).

criticism due to the way that humanitarian organisations are perceived to be fulfilling the material and political needs of state security (Duffield, 2001).

Given this observation, we might want to think of humanitarianism as an integral component of the Third Sector, as Garland defines it, occupying ‘an intermediate, borderline position, poised between the state and civil society’ (2001, pp. 170–71). In other words, in everyday matters of state security and globalised population control, the deployment of humanitarian organisations to crisis zones allows imperial states to govern at a distance (2001, pp. 170–71, 173; Bosworth, 2017). Some argue that international humanitarianism not only restricts itself to the limits defined by the capitalist state, but fulfils the critical role of reacting to populations brutalised by the everyday operation of the capitalist system – which may become a threat to the capitalist order (Duffield, 2001). By relying on humanitarian organisations to deal with such population threats (Duffield, 2008), dominant states may remove themselves from ‘some of the messier aspects of enforcing order’ (Bosworth, 2017, p.3).

Beyond these arguments, others have pointed out the sheer lack of accountability within the humanitarian sector (Ferstman, 2017). As part of this, very little has been written about the corporate side of humanitarian aid and how it shapes organisational conduct – a knowledge gap that some scholars are now attempting to address (Weiss, 2013). Like powerful corporations, humanitarian organisations clearly face market and performance pressures that arise specifically from the competitive business environment demanding their services. Pursuit of market dominance may create incentives for organisations to engage in unethical and illegal conduct that results in re-victimising aid recipients. In sum, various lines of inquiry are emerging about the authority, legitimacy and exercise of humanitarian power, as well as the opportunity structures that might be shaping criminal organisational conduct.

In both subject matter and focus, an interrogation of humanitarian wrongdoing fits with the critical imperative to uncover crimes by actors in socially dominant positions, and to explain their criminal conduct according to the structure and logic of capitalism (Sutherland, 1983; Chambliss, 1989; Chambliss et. al., 2010; Barak, 1991, 2015; Friedrichs & Friedrichs, 2002; Kauzlarich et. al., 2003; Green and Ward, 2004; Michalowski and Kramer, 2006; Whyte, 2009; Rothe, 2009; Rothe & Mullins, 2011; Tombs and Whyte, 2015; Lasslett, 2014, 2018).

Since the 1960s and 70s, the study of the crimes of the powerful has shifted the criminological gaze away from the deviancy of low-level offenders (i.e., the crimes of the powerless) to examine the illegal and illegitimate acts of private businesses, corporations, and states (Friedrichs, 2015). Powerful agents, argued by this thread of criminology, have long enjoyed the privileges of defining the boundaries of their own crime – even though their criminality has a proportionally greater impact on the lives of individuals and whole societies (Whyte, 2009; Green & Ward, 2004; Rothe & Friedrichs, 2006).

For empirical researchers, “the powerful” is defined as organisations whose exercise of power is hugely asymmetric with ‘at least some significant interlocks and interests...within the highest reaches of society’ (Friedrichs, 2015, p.43). This characterisation befits many humanitarian organisations with multimillion-dollar budgets who enjoy privileged access to states and corporations (Weiss, 2013), and whose authority to provide their own determined forms of aid is derived from states and the legal system, and not from democratic consensus.

Criminologists concerned with examining the crimes of the powerful are interested in questions of power *and* crime (Whyte, 2009). Power, amongst many things, is the ‘ability to enforce one’s moral claims’ (Gouldner, 1971, p. 297). Calls for greater focus on the crimes of powerful entities have largely been concerned with the organisational behaviours of states, private businesses, and corporations as a distinguishable group of powerful actors (Sutherland, 1983; Chambliss, 1989; Green and Ward, 2004; Michalowski & Kramer, 2006; Whyte, 2009; Tombs and Whyte, 2015; Friedrichs & Friedrichs, 2002). This academic endeavour has led to the formation of new and important categories for criminological research, including state crime, corporate crime, and state-corporate crime (Barak, 2015). Some critical criminologists have argued for an expanded categorisation of crimes of the powerful to keep pace with the changing logics and structure of power under processes of globalisation (Friedrichs & Friedrichs, 2002; Friedrichs & Rothe, 2014). This stems from the recognition that who has power, and how power is exercised, is part of an ever-shifting terrain that is responsive to overlapping logics of extraction and expulsion (Barak, 2015). In that regard, scholarship on the crimes of globalisation seeks to analyse the effects of the ‘demonstrably harmful policies and practices of institutions and entities that...by their nature occur within a global context’ (Rothe & Friedrichs, 2015, p. 26 in Barak, 2015, p. 8).

Moreover, a broader understanding of the crimes of the powerful addresses the concern that the failure to include, specify, and expose the crimes of powerful entities risks trivialising and ignoring the seriousness of the harms caused by such entities (Friedrichs & Friedrichs, 2002, p. 17). Accordingly, some critical criminologists have incorporated the study of international institutions in their conceptualisation of crime on the basis that such institutions play an intricate role in mediating predatory capitalist processes in collaboration with the state apparatus (Barak, 2015). One reason for including them relates to the growing dominance of international/multilateral organisations, whose rising power within the institutional landscape is attributed to the decline in power of state-based institutions under neoliberal⁹ transitions (Friedrichs & Friedrichs, 2002, p. 15). Previous criminological insights on international financial institutions (IFIs) provides grounds for examining the harms and injury caused by other institutions that operate internationally, such as humanitarian institutions, especially with the knowledge of the controversial roles these institutions often assume in the governance of human mobility (Duffield, 2001).

Defining Critical Approaches to Harm, Violence, and Crime

Advancing the study of the crimes of the powerful has provoked rigorous debate about what characteristics constitute crime and how criminologists can scientifically label organisational behaviour as deviant. Without recounting these debates in full, there are a few key aspects raised here that are relevant to my theoretical consideration of humanitarian actors and the substance of their actions. As a starting point, critical criminologists have often asserted that crime has no ontological reality (Hillyard & Tombs, 2004). One of the meanings deployed here is that offenses constructed as criminal are not the result of a higher objective truth about what events or experiences are most harmful in society. Instead, criminal definitions are the outcome of an ideological process that attaches a criminal quality to a particular act and actors (Pantzis, 2004; Lasslett, 2010). Criminologists have long pointed out the ways that white collar criminals leverage their class status and political influence to escape criminalisation (see Sutherland, 1983, pp. 227-239). Scholars highlighting the limitations of criminal law definitions have also underlined the problematic structure of law in relation to

⁹ This thesis adopts Harvey's (2005, p.2) understanding of neoliberalism as 'political economic practices that proposes that human well-being can be best advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade.' Chapter One discusses the role of the state to enable such practices.

holding the powerful to account. They point to narrow and individualistic constructions of criminal liability, which they argue masks the structural and collective nature of harms caused by the everyday operation of capitalist economies (Box, 1983; Hillyard & Tombs, 2004, p. 18; Pemberton, 2004). Specifically, criminal law's requirement for 'a criminal actor and criminal act' has institutionalised a 'moral hierarchy of intentional acts over acts of indifference' (Pemberton, 2004, pp. 70–72). For these reasons, critical criminologists regularly dispute mainstream criminology's reliance on law in theorising crime and its regulation (Hillyard & Tombs, 2004; Green & Ward, 2000, 2004; Whyte, 2009; Sutherland, 1983; Chambliss & Siedman, 1971).

It is through these critiques that critical criminologists have sought to expand and/or replace the definition of crime in uncovering the crimes of the powerful. While some criminologists advocate for expanding notions of crime to capture the crimes of the powerful – such as incorporating human rights into criminal definitions – others support the abandonment of criminological categories (Michalowski, 2010; Hillyard & Tombs, 2004). At the radical end of the debate, criminologists advocate for applying broader concepts of social harm in their endeavour to expose the structural and social origins of human suffering (See Schwendinger & Schwendinger, 1970; Hillyard et al., 2004; Pantazis, 2004; Pemberton, 2007; Friedrichs & Swartz, 2007). For clarity, social harm¹⁰ is defined as the extreme deprivation of human needs, or the restrictions placed on human beings that prevent them from functioning effectively as purposive agents. (Ward, 2004, p. 85; Pemberton, 2007). A main argument for criminologists to consider social harms pertains to the need to elevate understandings of non-criminalised harms that are produced by the everyday processes, flows, and relations of capitalism and have significant, lasting effect on the entire life course of individuals (Hillyard & Tombs, 2004; Lasslett, 2010). The social-harm approach advocates for moving criminological analysis beyond the sensational and discrete acts of individuals toward the everyday suffering upon which the reproduction of the capitalist system rests (Hillyard et al., 2004, p. 24). Applied to the humanitarian field, a social harm approach might therefore engage with *responsibilities* of humanitarian organisations and their *indifference* to harms linked to their

¹⁰ Hillyard and Tombs (2004) have also defined concepts of harm through the following categorisation: physical, financial/economic, emotional/psychological, and cultural safety. Lasslett (2010, p. 12) further explains that 'social harms arise when socially generated processes undermine the organic reproduction of 'man', or the organic/inorganic reproduction of man's environment.'

actions, decisions-making, and relationships with other harmful actors and structures (Pemberton, 2007).

Criminological understandings of social harm also connect with anthropological and sociological work¹¹ on structural violence. As conceived by Johan Galtung (1969, p. 171), structural violence refers to violence that is ‘built into the structure and shows up as unequal power and consequently as unequal life chances.’ This notion of violence challenges epistemological perspectives that confine violence to physical, intentional, or interpersonal acts. Alternatively, structural violence seeks to identify violence in the way that structures operate. Social, political, and economic structures are seen to cause violence when they ‘increase the distance between the potential [what could have been] and the actual [what is]’ or ‘impede the decrease of this distance’ (1969, p. 168). Applying this concept to the criminological field, Cooper and Whyte (2017) advocate for a more powerful derivative of this concept, one that recognises how material processes in fact shape structures and alter their likelihood to produce violence. They formulate the term “institutional violence” to describe power relationships between institutions and the subjects of their activity that increase the prospect of violent outcomes because of their linkages to political economy objectives. For example, they explain the Grenfell Tower disaster as an example of institutional violence by showing the series of mundane, every day, and collective decisions of British government institutions, connected to austerity politics, that produced the preventable fire and loss of life (Cooper and Whyte, 2017).

Others seeking to expose the crimes of the powerful prefer to retain a commitment to the concept and labelling of *crime* in their theorisation of the serious offenses committed by powerful organisations. One approach,¹² which is adopted by this thesis, uses Green and Ward’s (2004) explanation of state crime as: ‘state organizational deviance involving the violation of human rights.’ This conceptualisation of state crime is useful for transcending

¹¹ Paul Farmer (2004, p. 308) expands the concept of structural violence to include all political-economic structures that constrain human agency and underpin the ‘the social machinery of oppression’ – as well as those structures that simultaneously silence the historical memory of everyday suffering. Bourgois and Scheper-Hughes (2004, p. 318), agreeing with Farmer, add that structural violence is an anthropological concept showing ‘how political economy kills.’

¹² For a summary of definitional debates on state crime, see Michalowski (2010, pp. 15-23). Other work to consult on this matter includes Chambliss (1989), Barak (1991), and Green & Ward (2004).

narrow legal definitions of crime by relying on three definitional elements: the state, organisational deviance, and human rights. This definition distinguishes itself by relying on the application of sociological concepts of deviance to identify organisational crimes that are commonly overlooked. Importantly, it is grounded in the understanding that *rule-breaking* is different from *deviance*. Deviance is conceptually distinct from rule-breaking because it implies a social process whereby subjective meaning is being attached to a particular act (Erikson, 1962; Becker, 1963). As Becker (1963, p. 9) emphasises: ‘social groups create deviance by making the rules whose infraction constitutes deviance.’ Extrapolated to the field of state crime, the general idea is that although the criminal justice system may fail to treat certain state behaviours as deviant, such behaviours may still attain the quality of being criminal via the labelling of that behaviour by a social audience (Green & Ward, 2004; Lasslett, 2010). Ward (2004, p. 87) clarifies the significance of a social audience to the identification of organisational crime as:

An act is deviant where there is a social audience that (1) accepts a certain rule as a standard of behaviour, (2) interprets the act, or similar acts of which it is aware, as violating the rule, and (3) is disposed to apply significant sanctions – that is, significant from the point of view of the actor – to such violations.

Green and Ward’s approach thus offers a way for counter-hegemonic social movements to contest the legitimacy of dominant ideas and to censure deviant state behaviour. I elaborate on this notion in Chapter Six.

Green and Ward’s framework is not only relevant for the identification of crimes committed by states. It also applies to other kinds of organisational wrongdoing (see MacManus, 2018). This follows the argument that theoretical insights on how organisational crime takes places should be applied across the spectrum of formal organisations ignored by mainstream criminological research (Kramer et al., 2002; Vaughan, 1982, 1983). By applying Green and Ward’s (2004) and Ward’s (2004) formulation of deviance to the activity of humanitarian institutions, this thesis gives theoretical importance to social audiences in the labelling of humanitarian actions or omissions as deviant when these actions have violated socially accepted human rights norms. When this thesis discusses concepts of humanitarian crime, it will rely on Green and Ward’s definition.

Furthermore, an exploration of humanitarian wrongdoing benefits from previous criminological work attempting to explain the specific factors that give rise to organisational harm and crime. Some criminologists have highlighted the link between organisational deviance and performance pressure, while others have explained deviant organisational behaviours through the lens of the political economy and its criminogenic structure (see Kramer et al., 2002, p. 272). In the field of state crime, scholars have emphasised that the motivation of states to commit crime is ‘tacitly or explicitly related to large structural or cultural goals and objectives of government or its agencies’ (Faust & Kauzlarich, 2008, p. 86). How states pursue organisational goals of accumulation that are deeply injurious to populations is further discussed in Chapter One.

Kramer and Michalowski (1990) suggest bringing together different levels of analyses – structure, institutional, and individual – within an integrated theoretical framework to capture the multi-layered motivations and opportunity structures for organisational crime. Taking this forward, Kramer and Michalowski have developed three catalysts for action which outline the specific variables either restraining or contributing to organisational deviancy (Kramer & Michalowski, 1990, 2006; Kramer et al., 2002, p. 273). The first catalyst for action identifies performance pressures or goal attainment as *motivation* for deviant behaviour. The second catalyst – *opportunity structure* – gives prominence to the means that organisations have at their disposal to achieve their goals. As Kramer et al. (2002, pp. 274–75) explain, the more that organisations perceive themselves as blocked from using legitimate means to achieve their goals, the more they are likely to pursue deviant alternative routes. The third catalyst underscores the presence of social control mechanisms as a predictor of organisational crime. If the *operationality of control* is weak, through for example the absence of legal regulations or their enforcement, then organisations have a higher likelihood of engaging in organisational deviance (Kramer et al., 2002). These three factors for analysing the factors behind humanitarian organisational deviance will be employed in the empirical discussion of humanitarian behaviours in Haiti.

Finally, in exploring humanitarian criminality, this thesis proposes the concept “state-humanitarian crime” to frame the manifold ways in which deviant state actions drive and interact with the illegitimate practices of humanitarian organisations. In thinking about this

interaction, there are obvious parallels and insights to consider from the extensive literature on state-corporate crime (see, for instance, Kramer, 1992; Kramer & Michalowski, 1990, 1993; Kramer et. al., 2002; Kauzlarich et. al., 2003; Green & Ward, 2004; Whyte, 2007, 2009, 2010; Tombs, 2012; Tombs and Whyte, 2015; Bernat and Whyte, 2017; Barak 1991, 2015). Kramer and Michalowski (1990, p.3) originally proposed an understanding of state-corporate crime as ‘illegal and socially injurious actions that occur when one or more institutions of political governance pursue a goal in direct cooperation with one or more institutions of economic production and distribution.’ State-humanitarian crime, I suggest, encompasses a range of crimes that arise from the interactions of states and humanitarian actors in pursuit of deviant goals. These injurious collaborations may take the form of states initiating or facilitating significant forms of humanitarian deviance (Green & Ward, 2004, p. 28). States, for instance, may call upon humanitarian organisations to commit deviant acts. Or, similar to state relationships with corporations, state-humanitarian crime may entail states turning a blind eye to the illegitimate conduct of humanitarian organisations because it serves their own goals (see Kramer et al., 2002, p. 271). We may also find humanitarian organisations colluding with states to achieve mutually reinforcing goals that cannot otherwise be achieved through legitimate means (Kramer et al., 2002).

In summary, the criminological concepts and frameworks discussed above provide useful starting points for identifying and analysing humanitarian wrongdoing in the context of their interactions and structural relationships with states and their agents. Over the course of this thesis, I expand on these concepts through empirical discussion of Haiti’s humanitarian intervention.

II. Exploring State-Humanitarian Harm and Crime in Post-Disaster Haiti

Applying the concepts of state crime and structural/institutional violence to Haiti, this thesis interrogates processes of harm production involving states and humanitarian actors during the reconstruction of earthquake-affected Port-au-Prince. To accomplish this, I focus explicitly on the actions and decision-making of states and humanitarian organisations in relation to (a) the delivery of housing aid and (b) the management of homeless people affected by the January 2010 earthquake. The research is led by two questions:

- What role have humanitarian organisations played in dispossessing disaster victims from urban land and violating their right to housing?
- To what extent may humanitarian acts and omissions in Haiti's housing sector be considered criminal?

There are several reasons why I chose post-disaster housing as the lens for interrogating state-humanitarian deviance and harm production in the aftermath of Haiti's earthquake. The first relates to critical debates about crime. Housing is a human right protected by international law,¹³ and is an internationally recognised norm.¹⁴ Access to adequate housing satisfies a number of human needs, including physical safety (Durand-Lasserve & Royston, 2002; Vasudevan, 2017). Housing also offers a material base for household and social reproduction (Katz, 2001). Research on urban housing, furthermore, illustrates a strong negative correlation between the lack of adequate and affordable housing and the poverty cycle, implying that lack of access to housing increases exposure to poverty and its associated harms and human rights violations (UN-Habitat, 2007). Housing also underpins the exercise of identity, social belonging, and citizenship (Hohmann, 2013). Denying the right to housing has grave consequences for people's personal and social lives, including their physical and mental health, family life, economic security, and social-neighbourhood cohesion (Paton & Cooper, 2017; Cooper and Paton, 2013; Hohmann, 2013; UN-Habitat, 2007).

Secondly, the right to housing is not only fundamental to human well-being, but it is also a human right that is constantly under violent attack in capitalist societies, especially in urban areas (Paton & Cooper, 2017; Cooper & Paton, 2013; Blomley, 2004; Otiso, 2002; Olds et. al., 2002). This is evidenced by skyrocketing rates of forced evictions, and widespread tenure insecurity and homelessness around the world, which are not limited to areas of the global south undergoing radical economic restructuring. Everyday millions of people are

¹³ The right to housing is recognised as a right that underpins the ability of humans to exist and is codified by several international treaties and human rights instruments (Hohmann, 2013). Article 25(1) of the Universal Declaration of Human Rights outlines the right to adequate housing as a precondition for meeting basic material needs. Article 11(1) of the International Covenant of Economic, Social and Cultural Rights provides the strongest international legal guarantee for the right to housing by placing obligations on state parties to 'take appropriate steps to ensure the realization of this right.' The Committee on Economic, Social and Cultural Rights of the ICESCR has further interpreted the right to housing as a 'right to live somewhere in security, peace and dignity' and defines seven elements of this right: legal security of tenure; availability of services, materials, facilities, infrastructure; affordability; habitability; accessibility; location; and cultural adequacy (CESCR, 1991).

¹⁴ In other words, it fits the human rights criteria of Green and Ward (2000) about what behaviour can be labelled deviant.

expelled from their homes, or are affected by regressive state policies that prevent access to decent, adequate, and affordable housing. These dynamics are associated with global trends in the commodification of land and housing. Today, the market value of real estate has risen to more than twice the value of the world's gross domestic product – evidencing the shift away from housing's social value and the use of housing for investment (Farha, 2018).

Criminological studies on evictions, gentrification, and homelessness link these devastating attacks on human need to deviant state behaviours and the criminogenic features of capitalist political economies (see Green et al., 2015; Lasslett, 2018; Cooper & Paton, 2017). Historically, political and legal forces have engineered the conditions enabling land theft, dispossession, and privatisation (discussed in Chapter One). State-led assaults on the human right to housing reveal the fundamental flaws in the legal protection of this right,¹⁵ which sheds light on the hegemonic status and protection of private property rights (Mattei & Nadar, 2008). Domestic and international law has generally failed to regulate or sanction harmful state behaviours that treat housing as a repository of capital rather than a social resource required for habitation and the fulfilment of human needs (Cooper & Paton, 2017).

Modern struggles for housing thus illustrate the limitations of legal systems to sanction deviant state acts and decisions that erode the protection of the right to housing. Within international law, states are given significant scope to evade their obligations to respect, protection and fulfil the right to housing (Hohmann, 2013, p.19). While forced evictions remain one of the most clear-cut violation of the legal human right to housing, international law focuses mainly on procedural safeguards that states must undertake to prevent and protect people from forced evictions. Critical criminologists have often reached beyond legal human rights standards to determine state attacks on housing as crimes (Green et al., 2015). For example, Green and Smith (2016), using deviance-based definitions of state crime, document evictions of Palestinian populations as a result of Israeli state land control and housing policies. They classify these evictions as state crime because of their link to state goals of ethnic cleansing. Rhodes (2018), similarly, labels evictions in Burma as state crimes by illustrating

¹⁵ This observation is also linked to the academic critique of hierarchies between first generation rights (political and civil rights, including the right to property) and second generation rights (economic, social, and cultural rights) within human rights discourse and practice (see Kennedy, 2001; Rajagopal, 2003). Hohmann (2013) points out that the right to housing has typically been treated with a high degree of skepticism by the international community, as a right that can be normatively justified, protected, and pragmatically achieved and enforced.

how state-facilitated evictions were designed to punish problematic populations and secure land control for future investment. In Britain, Paton and Cooper (2017), have formulated the term “domicide” – or murder of the home – to apprehend the mass destruction of homes and neighbourhoods as a result of state policies and acts supporting the financialisation¹⁶ of housing. These examples illustrate some ways that criminologists have called out wrongful state behaviour in the provision and protection of individuals’ access to housing.

Another reason for focussing on Haiti’s housing sector pertains to growing humanitarian engagement in urban housing programmes and policy-making. Increased humanitarian involvement in urban housing corresponds to the trend of humanitarian organisations to continually “visibilize” different forms of human suffering and turn vulnerable people into objects of humanitarian governance and resource mobilisation (Kihato & Landau, 2016, p. 413). Describing this tendency in Haiti and its outcome for local power relations, the Center for Global Development claimed humanitarian organisations had created a ‘parallel state more powerful than the government itself’ in their delivery of housing aid and governance of displaced/homeless people (Ramachandran & Walz, 2012, p. 37). This statement, while not entirely correct in neatly separating the governing functions of humanitarian organisations and the Haitian government, does problematize an analytical framework that assigns responsibility for Haiti’s ongoing urban housing crisis solely to the Haitian state.

The need to focus on the actions of humanitarian organisations in the housing sector is further validated by other empirical research that demonstrates the harmful outcomes of humanitarian housing and settlement-related decisions (see de Waal, 1997; Levine et al., 2012; Schuller, 2016, pp. 210–12; Ashutosh & Mountz, 2011; Crisp, 2018). The annual *State of the Humanitarian System* report in 2018 lists housing as one of the unmet needs most cited by populations receiving humanitarian assistance. As part of the rising concern about humanitarian action, inaction, and negligence, an Overseas Development Institute (ODI) report on Haiti concluded that intense competition between humanitarian organisations for donor funding, as well as their struggles for territorial control over displacement camps and

¹⁶ By financialisation, I mean the treatment of housing as a commodity rather than a place for habitation (Aalbers, 2016).

neighbourhoods, made ‘any kind of coordination and coherence in the [Haiti’s housing] response almost impossible’ (Levine et al., 2012, p. 13). Schuller’s (2016, pp. 210–12) work on Haiti also stresses the material logic driving humanitarian action. He provides several examples where organisational devotion to their own “logic of production” rose above considerations of people’s actual housing needs.

Humanitarian involvement in housing thus offers interesting terrain to probe the structure of international humanitarians, and in particular, the claim by humanitarian organisations that they rise above politics in the performance of their roles (Weiss, 2013). If, as explained above, housing is a politically contentious issue in capitalist societies, then organisational claims to be able to address housing issues, while maintaining a commitment to the principle of political neutrality, raises suspicion about organisational behaviours and the consequences of humanitarian actions.

Haiti’s housing sector is therefore an appropriate field for analysing humanitarian deviancy and contribution to harm production given clear evidence of housing-related harm and human rights violations during earthquake reconstruction. The harms investigated in this thesis include widespread forced evictions and the failure to safely and sustainably provide housing to disaster victims. Although humanitarian organisations raised billions of dollars to build and provide housing for homeless Haitians, few homes were actually built with the funds allocated. In fact, hundreds of thousands of Haitians are now living in the same dangerous neighbourhoods they were prior to the January 2010 earthquake. As a consequence, many urban Haitians remain highly vulnerable to repeated cycles of displacement, household financial collapse, and death should another disaster strike Port-au-Prince.

Finally, the emergence of new informal settlements is a sign of post-earthquake housing unaffordability and exclusion. The largest new informal settlement (Canaan), which is the main site of field research for this thesis, currently warehouses 200,000 people and is still growing (Kushner and Shelly, 2018). State neglect of new informal settlements puts the people living there at risk of harm and future victimisation of another disaster. Yet, against this dismal picture of housing, Port-au-Prince has successfully reconstructed government buildings, improved infrastructure in elite neighbourhoods, and gentrified its downtown area.

These disparities raise important questions about why so many disaster-affected Haitians have failed to benefit from the reconstruction process.

III. Research Methodology

My research is based on empirical data collected between October 2013 and August 2014 in Port-au-Prince, Haiti. While this constitutes the main period and location of the field work, some follow-up data collection (document retrieval and interviews) was conducted between August 2014 and April 2018. The aim of the research was to identify the structural and organisational conditions influencing the pursuit of access to urban land and housing for earthquake-affected people.

The research followed an exploratory case study design. The rationale for selecting Haiti as a single case study to interrogate humanitarian harm and crime was detailed in the previous section. A case study design is intended to provide insight, advance current understanding, and establish a foundation for further comparison and research (Stake, 2005; Yin, 2003). This design enables the researcher to shed light on larger structural issues and social relationships by gathering multiple sources of evidence and producing a high level of detail on little known issues (King & Wincup, 2008, p. 28). The strength of the approach is to ‘gain an understanding of what makes people tick, how an organisation works, and how one event may lead to another’ (King & Wincup, 2008, p. 28).

To build a case study of Haiti, I relied on criminological theories of harm and organisational deviance to guide the formulation of research questions, the selection of methods, and the development of data collection techniques (e.g., creation of semi-structured questionnaires with selected informants). My case study approach was also informed by a literature review of humanitarian action for the purpose of making connections between Haiti and other case studies of humanitarian harm and wrongdoing. The fieldwork in Haiti drew together the following sources of evidence for case study analysis: prior studies of housing and humanitarian programmes; written humanitarian reports; various forms of humanitarian communication (e.g., emails, letters, meeting notes); administrative documents (e.g., project proposals); local and international media reports; land and property records; police and court

records; interviews with 200 individuals from different social positions; and direct observation of humanitarian, government, and community meetings. To organise the data and generate detail, the data was collected, organised, and analysed in a single qualitative database (NVIVO).

Moving on to the empirical research itself, I relied on the following qualitative methods to elicit data for the fieldwork: semi-structured interviews, participant observation, and collection of public and organisational documents. I followed both purposive and snowball sampling techniques in the construction of my interview sample. At the beginning of my fieldwork, individuals from international and state institutions were purposefully selected based on their direct involvement and significant decision-making responsibilities in humanitarian camp governance, housing, urban planning, and the reconstruction of Port-au-Prince. These individuals represented a wide spectrum of roles in Haiti's humanitarian relief and reconstruction efforts. Interviews with them provided insight to official discourses as well as the sequence of housing decisions made by state and humanitarian actors. These interviews also exposed the power networks that had emerged around specific humanitarian projects and the position of humanitarian officials relative to foreign state actors, national and local Haitian authorities, and Haitian landowning elites (see also Lasslett, 2012, p. 128).

My interactions with pre-identified humanitarian representatives (based on their involvement in housing issues) led to introductions to government officials. A referral from a humanitarian official, usually via email, significantly increased state authorities' willingness to speak with me and share their views on land, housing, and reconstruction. In total, 73 individuals directly involved in humanitarian projects and policy-making were interviewed (Annex 1).

During the fieldwork, I was aware of my position as a researcher and moderated my approach to the fieldwork and interviewees to account for potential bias. When interviewing humanitarian actors, I occupied a semi- "insider" position based on my prior employment with international humanitarian organisations and my ability to speak the same bureaucratic "language" as my interviewees. My experience as a humanitarian field worker facilitated my access to humanitarian organisations and allowed me to achieve a level of trust with representatives. This, in turn, allowed me to reach a fuller understanding of the interpretative

frames that humanitarian actors constructed around disaster events and local struggles for housing. I was perceived by humanitarian interviewees as understanding their unique challenges as organisations operating in complex social environments. In some cases, humanitarian informants provided me with information that they believed should be made public, but that they had been prevented by their senior managers from doing so themselves. Usually, interviewees asked that their names and organisations be anonymised as a pre-condition for the interview (a request that I have adhered to in this thesis).

To gain social perspectives of state-humanitarian aid activity, I conducted eleven interviews with members of Haitian civil society organisations and 80 interviews with Haitians directly affected by the earthquake (Annex 2). The 80 interviews with Haitian disaster victims were drawn from purposefully selected locations (post-earthquake informal settlements). Twenty-five interviewees with disaster-affected Haitians were conducted in the following settlements located *inside* Port-au-Prince: *Caradeux*, *Corail*, *Tabarre Issa*, *Chegar*, and *Acra*. In addition to this, 55 interviews were conducted in the post-earthquake settlement of Canaan (located on the outskirts of Port-au-Prince). In Canaan, I specifically targeted the informal settlement's neighbourhoods of *Onaville*, *Canaan 3*, *Mozayik*, and *Village des Pêcheurs*. Onaville is one of the first settlements that emerged after the earthquake, while *Village des Pêcheurs* is one of the last. Although I visited the Canaan informal settlement regularly throughout my eleven months of fieldwork, my main interactions with these land occupants were between May and August 2014. During this time, I made frequent visits to the informal settlement and spent significant time conducting interviews and observing/participating in community meetings and events within settlement neighbourhoods.

In addition to Haitian earthquake victims, I also interviewed twenty-five individuals who were linked in some way to the Canaan settlement. These interviewees included: self-appointed community leaders, land sellers, grassroots associations (e.g., women's group representatives), local police, municipal government officials, and criminal groups extorting money from Canaan's land occupants. In addition, I interviewed four international housing activists involved in advocacy and campaigns in Haiti and five researchers conducting academic or policy research on Haiti's housing situation.

Most Haitians directly affected by the earthquake that I interviewed had at some point been labelled by humanitarian organisations as internally displaced persons (IDPs) during the disaster relief and reconstruction process. My interviews with these individuals each lasted from one to two hours and were conducted in Creole with the assistance of an interpreter, Jimmy Kervens Jean Felix.¹⁷ The interviews were subsequently transcribed in Creole then translated into English for coding and data analysis. Most interviewees in camps and informal settlements agreed to have their interviews voice recorded. Consent for all interviews (international and local) was obtained by reading a pre-developed description of the research purpose and objectives, and by soliciting either verbal or handwritten consent for the interview.

I also conducted direct observations of events being studied. In Canaan, I spent several afternoons observing land mediation processes managed by community leaders in *Onaville* (see Chapter Eight). I was also permitted to attend three community meetings in *Village des Pêcheurs* and two community meetings in *Mozayik*. At these meetings, development issues facing new informal settlements, as well as eviction threats by private landowners and government officials were discussed. In Canaan, interviewed community leaders and land occupants led me around their neighbourhood to explain their living and housing conditions, and the urban planning measures they had undertaken in the absence of state and humanitarian support. I was also invited to participate in several humanitarian meetings between October 2013 and August 2014. These meetings offered first-hand insight to the decision-making responsibilities of different humanitarian organisations and state officials; the processes and criteria influencing housing decisions; and how decisions or failures were justified by such actors.

Data analysis for my study was based on the interrogation and categorization of data using qualitative software (see Maxwell and Miller, 2008). Prior to the field research, I had pre-identified theoretical categories for sorting and synthesising collected data. After the fieldwork, I added or amended these categories during my line-by-line coding of data to reflect the themes

¹⁷ Jimmy was referred to me by another researcher who had used his translation services. He speaks English, French, Spanish, and Creole fluently, and was previously a translator for the American Red Cross (ARC). He was also an instructor of English and Spanish for Haitian students at the Lycée National de Pétionville. Jimmy is a Haitian national and has a bachelor's degree in languages from the State University of Haiti.

and topics that emerged from my experience on the ground. Analysing the data, I found significant cohering of views and perspectives amongst humanitarian actors, which I have highlighted in my empirical chapters. That said, there were sometimes dissenting views – often held by a handful of interviewees who also had experience working in international development organisations (and not only humanitarian organisations). I have tried to bring out these dissenting views on key issues throughout this thesis.

IV. Thesis Outline

This thesis probes questions of state-humanitarian harm and crime. To pursue this goal, it is divided into the following chapters:

Chapter One introduces and explains the theoretical paradigm applied to the research. It outlines the criminogenic features of disasters and processes of urban reconstruction.

Chapter Two dissects the structure and function of international humanitarian organisations. It draws together theoretical arguments of crime and a wide range of interdisciplinary literature on humanitarian-related harms and wrongdoing. The chapter establishes a basis for thinking about how humanitarian organisations may become involved in crimes of commission and omission, either through their collusive relationships with states or on their own initiative.

Chapter Three provides a brief historical analysis of Haiti's urban housing disaster after the January 2010 earthquake. It presents patterns of state organisational deviance and corporate criminality that led to interrelated forms of rural dispossession, over-urbanisation, and proletarianisation of the population. It emphasises the unnaturalness of Haiti's post-earthquake conditions and the preventable nature of earthquake harms, including unprecedented levels of death, destruction, and displacement. The chapter concludes with an overview of Port-au-Prince's housing sector and land economy, foreshadowing the social conflicts that would emerge during reconstruction.

Chapter Four is the first of five empirical chapters on Haiti's reconstruction process. It details a continuum of state-humanitarian harm production in the management of displaced populations and provision of housing aid. It begins by explaining the predatory nature of

reconstruction aid and the intention of foreign governments and corporations to exploit Haiti's disaster for their own benefit. It examines how these dynamics were overlaid by local reactions to the earthquake, which threatened to overturn gross inequalities in the distribution of urban land through land occupation. The chapter then describes the logic of humanitarian decisions around housing and classifies them as examples of structural and institutional violence.

Chapter Five further problematizes the role of humanitarian organisations inside Haiti's explosive reconstruction environment. It probes a range of quasi-legitimate to illegitimate organisational responses aimed at controlling "dangerous populations" and their "illegal" land occupations. Building on the theoretical arguments and historical evidence presented in previous chapters, this chapter frames forced evictions and involuntary settlement closures/returns of displaced people as key examples of state-humanitarian crime during Haiti's reconstruction period.

Chapter Six uses empirical data with land occupants to analyse organic practices of resistance within counter-hegemonic struggles for land and housing. It introduces Gramscian notions of civil society and resistance, and elaborates on them using scholarly work on everyday practices of resistance. By bringing the voices of earthquake victims to the fore, the chapter contests dominant assumptions that frame the establishment of Canaan – a post-disaster settlement on the urban periphery – as an example of non-ideological, deprivation-based squatting. It argues that this large group of land occupants have theoretical importance as a social audience censuring state-humanitarian policies and programmes that violated shared local norms pertaining to equitable land distribution, housing rights, and inclusive urban development. The chapter's analysis of these processes draws on interviews with Canaan's land occupants.

Chapter Seven builds on the previous chapter by demonstrating the dialectical nature of post-disaster land struggles. The chapter explores the rare social power and counter-politics that arose from processes of illegal occupation in Canaan, which allowed land occupants to appropriate space according to their goals for reconstruction. It then details how processes of people-led reconstruction slowly unravelled in the face of extreme vulnerability to state-sponsored fraud, exploitation, and evictions.

Chapter Eight returns to the analysis of humanitarian organisations and their techniques of neutralisation to deny their housing-related harms and crime. It examines humanitarian stratagems for obscuring, reinterpreting, and minimising their role in re-victimising earthquake victims. The chapter ends by illustrating the instrumental function of humanitarian denial in undermining new land claims and locally led reconstruction processes in the Canaan settlement. It also demonstrates how strategies of denial allowed humanitarian actors to reproduce their power by asserting their superior, technocratic methods for addressing population problems.

Chapter Nine outlines the contribution of this thesis in considering the criminality of a powerful strata of humanitarian institutions operating within the global political economy, whose role is to extend the logic of neoliberal governance to the periphery, and who are often motivated to breach international rules and norms of conduct in their management of capitalism's surplus populations.

Chapter One

The Crime/Disaster Nexus: Theoretical Concepts for Research

This chapter lays out the theoretical paradigm informing my investigation of humanitarian criminality during Haiti's post-earthquake reconstruction process. It begins with a discussion of some of the key elements of disasters that attract criminological interest. Disasters are often discursively constructed as natural events that have little relationship with human activity. This has obscured the political-economic structures driving the devastating effects of disasters on individual lives and whole societies. However, when disaster harms – such as housing losses and displacement – are attributed to haphazard circumstances and not to historically contextualised and calculated human activity, public attention is drawn away from questions of state and business accountability, leaving the root causes of disaster harms unattended. Countering this trend, some critical criminologists have studied the cumulative, illegal, and illegitimate acts and omissions of states (and other powerful organisations) in their endeavour to conceptualise disaster harms as examples of state crime. Examples of illegitimate state practices that dramatically escalate social vulnerability to disasters include: political and industry corruption; state negligence and regulatory failures; state withdrawal of social welfare; land enclosures and mal-distribution; and state-sponsored housing deprivation (see Green & Ward, 2004; Green, 2005; Faust & Kauzlarich, 2008; Cooper & Whyte, 2017; Collins, 2014; de Waal, 1997).

After briefly outlining criminological interest in disaster outcomes, this chapter builds a theoretical framework for analysing state-humanitarian deviance in post-disaster environments. By laying out a Marxist political economy approach, the social and material processes that drive change within post-disaster environments and motivate illegal and harmful organisational conduct are discussed. Similar to other studies of land dispossession and non-inclusive urbanisation, Marx's theory of capital is used to explain the drivers of harm and state violence that are embedded in the global economy. These drivers relate to the innate tendencies of capital to perpetually seek out new areas for expansion and profitable investment, thus leading to the constant appropriation, re-organisation, and destruction of local environments (see Lasslett, 2018; Green et. al., 2015). These circumstances also continually shift the distribution of social and political power, allowing the powerful to use the criminal justice system to criminalise social behaviours that disrupt capital flows. Owing to the

complex relationship between capital, the state, and the law, communities often see their natural resources (“the commons”), as a source of their survival and protection, transformed by their exchange value on the market. As we shall see in Haiti, the tension between land as a social resource, and land as a commodity and private property, is commonly articulated in class struggles between landless populations and the state and propertied classes (see Chapters Four to Eight). Although land exclusion is commonly enacted through state and elite violence, and interlinked with several human rights violations (e.g. as the right to housing), it is not a pattern of harm typically recognised as crime in Haiti or elsewhere. This thesis will expound on these dynamics through empirical study of Haiti, while tracing the profound influence of humanitarian institutions on Haitian land struggles and their social interpretation.

This chapter will also discuss how the state-capital relationship shapes patterns of organisational deviance. Marx’s discussion of the production and circulation of value in capitalist economies, processes of primitive accumulation, and the inherent instabilities of capital reveal the state’s strategic and often violent role in orchestrating the ‘terrain upon which capital can operate freely’ (Harvey, 2015, p. 235). The state is motivated to commit acts and omissions that violate social norms by nature of its stewardship of processes of capitalist expansion. Applying these ideas to disaster situations, these concepts take root in the various ways that states prioritise and advance accumulation strategies in their disaster responses. After disasters, states have been observed to commit illegitimate and violent acts in their attempts to force desired changes to the economy and to the built environment. Populations protesting state decisions that deviate from their expectations for protection are also routinely subject to state violence. Understanding these patterns of state deviance is relevant for analysing state-humanitarian relationships in disaster responses and for scrutinising how humanitarian organisations exercise their power during their interactions with states and affected communities.

I. Disasters and Their Criminological Significance

Criminology has taken an interest (albeit limited) in natural disasters because they are among the world’s deadliest and most harmful events. Whether they occur suddenly (e.g., earthquakes) or have a slow-onset effect (e.g., famines), disasters claim the lives of thousands of people and generate unprecedented levels of population mobility, material damage, and

economic hardship. For the past twenty years, disasters have annually killed more than 75,000 people and affected 100 million, in addition to causing over US\$162 billion per year in damage (IFRC, 2015). Some studies speculate that disasters cause more unplanned human mobility and homelessness than conflict situations (IFRC, 2012).

For some time, the scientific community has warned that human-initiated climate change will increase the frequency and intensity of natural disasters and their impacts. This is already evident, especially in the global south, where people are disproportionately affected by changing weather patterns (Roy, 2018). Disasters are not only disruptive to people's lives, but they often put in motion cycles of vulnerability and victimisation.

Most global discussions still emphasise the “natural” elements of disasters, making them appear as unanticipated or inevitable geophysical events. These convenient political framings shift blame and responsibility for disaster-related harms to the forces of nature. As a result, the global framework of prescriptive solutions for disasters often excludes, or pushes to the background, consideration of political accountability and social justice (Green, 2005; Smith, 2006; see also Balint et. al., 2017). For example, the UN uses the term “natural disaster-induced displacement” (applied in Haiti), which obscures an understanding of the human activity behind the destruction of homes and produced mass displacement. This agentless term suggests that mass human mobility in the context of disasters is the result of the geophysical event and the disruption it causes.

Dominant interpretations of disaster events and their associated effects are distracting and politically beneficial. Recently, international attention has been devoted to the governance of disaster responses, focussing on their operational, institutional, legal, and resource dimensions (see Kalin, 2015). International law-making¹⁸ has attempted to define and protect the rights of disaster-affected people, but without broader consideration of the political-economic environment through which these rights are to be realised. States and civil societies routinely convene in international forums to discuss and develop technocratic governing strategies around disaster preparedness, disaster risk reduction, and disaster resilience (Kalin,

¹⁸ See the International Federation of the Red Cross's project on Disaster Law that lays out the relevant legal frameworks for disaster relief and prevention. Available at <https://www.ifrc.org/en/what-we-do/disaster-law/about-idrl/>

2015). Their efforts, however, have done little to combat forms of state and corporate criminality that have generated the worst effects of disasters. As illustrated by Hurricane Katrina, public discourses that eclipse broader discussions of political responsibility provide fertile ground for blaming and criminalising disaster victims for their own social conditions, while allowing new patterns of criminality to flourish (Faust & Kauzlarich, 2008; Tierney & Bevc, 2007; Squires & Hartman, 2013; Klein, 2007).

Bearing these dynamics in mind, state-crime literature¹⁹ on disasters offers an important theoretical counterweight to liberal-institutional discussions that de-politicise disasters and their aftermath. That there is no such thing as a “natural” disaster is an important axiom for the criminological study of disasters (Green & Ward, 2004; Green, 2005; Smith, 2006; Faust & Kauzlarich, 2008). An acceptable definition of disasters for criminologists is therefore one that recognises disasters as the interface between geophysical events and vulnerable human populations (Susman et al., 1983 in Green & Ward, 2004, p. 55; Hewitt, 1983).

In *State Crime*, Green and Ward (2004) apply their deviance-based definition of crime to locate state responsibility for natural disasters. They argue that the political and organisational conditions shaping harmful policies and practices, which in turn heightens vulnerability to human rights violations (e.g., the right to life or the right to housing), are highly relevant to understanding how states commit crimes of commission or omission. Their reasoning sketches out six areas of potential state organisational deviance linked to disasters, including systemic corruption, state-corporate crime, collusion with elites, war crimes, negligence, and post-disaster cover-ups (2004, p. 56). Applying state-crime insights into two major Turkish earthquakes in the late 1990s, Green (2005) interprets the mass loss of life and destruction caused by these events as the consequence of a chain of deviant decisions, actions, and inactions on the part of the Turkish state. Green locates a direct causal link between the state’s liberalisation and deregulation strategies and the rise of poor-quality housing stock. Her research shows how rampant, unpunished corruption intensified the construction of housing in violation of safety codes and standards.

¹⁹ Scholars from other disciplines have also critically assessed state responsibility for natural disasters, but not from a criminological standpoint.

Using a similar line of analysis, Faust and Kauzlarich (2005) view the aftermath of Hurricane Katrina as a state crime of omission. Their empirical research found repeated failures and negligence by different U.S. government entities both before and after the hurricane. These included failures to fix the deteriorating levee system, issue timely storm warnings, and adequately respond to the widespread destruction predominantly affecting poor African American populations (2005, p. 89; see also Faust & Carlson, 2011). They determined that Katrina's excess victimisation and preventable loss of life were forms of state criminality.

Vulnerability is an important consideration when analysing the criminal behaviour of states. As a concept in social analysis, vulnerability illuminates the relationship between risk factors and exposure to hazards (Bankoff et. al., 2004). It is therefore useful for capturing 'changing social and economic conditions in relation to the nature of a hazard...[as] part of a dynamic, evolutionary and accretive process' (Bankoff et. al., 2004, p. 2). The concept of vulnerability attends to the forces shaping social conditions. Its referent objects are the structures, organisations, policies, and practices that give rise to specific risks and their attendant distribution across gender, ethnicity, and social class lines (Kreps, 1984; Fothergill & Peek, 2004; Tierney, 2007; Tierney and Oliver-Smith, 2012; David & Enarson, 2012; Weber & Peek, 2012; Reid, 2013). Consequently, one way of attributing criminal responsibility to states for disaster harms is to follow changes in population vulnerability that result from

Another aspect in the criminological literature related to natural disasters are the social conflicts catalysed by disasters and the nexus between crime and disaster reconstruction. Within the broader literature on disasters, there are some framings that emphasise their disruptive nature and their potential for animating social movements that call for state accountability and seek to address the root causes of disasters (Bankoff et. al., 2004). This framing implies that disasters retain a distinct temporal quality that is conducive to unmasking power relations and unsettling the hegemonic ideologies sustaining them (Bankoff et. al., 2004). Indeed, there are a few historical examples where disasters have propelled new social movements leading to governmental reforms that address public safety concerns, such as Etienne (2012, p.13) points out in the case of the Mexico City earthquake of 1985. Yet, criminological study of reconstruction processes in post-conflict settings has noted a more

ominous trend that arguably should be extended to the consideration of post-disaster settings (see Whyte, 2007; Balint et al., 2017; Saeed & Parmentier, 2017).

Disasters are manifestations of social conflicts that leave socially marginalised populations in the path of destruction. The criminological literature on reconstruction recognises this and the likelihood of oppositional forces and demands for structural change to arise in post-conflict settings. Recalling the prior discussion on the definition of state crime, civil-society responses during reconstruction are also important when defining organisational crime. However, some of this literature has problematized the tendency for civil society in times of reconstruction to be co-opted into broader governmental apparatuses focused on short-term relief and reconstruction objectives (Saeed & Parmentier, 2017; Balint et al., 2017). This literature also emphasises the conditions of anomie that mark reconstruction environments such as organisational fragility, lack of resources, and weakened state legitimacy, which in turn may enable new opportunity structures for crime (Balint et al., 2017). It stresses the importance of criminogenic legacies when prior crimes associated with conflicts (or disasters) are left unaddressed. Keeping these insights in mind, we will now unpack theoretical explanations for crime production that are relevant to understanding the criminogenic features and patterns associated with disasters and reconstruction processes.

II. Understanding Crime in the Context of Disasters and Reconstruction

II.I Crime and the political economy.

Critical criminologists have long pointed out that criminal law categories capture only certain victimising behaviours due to the way they have been shaped by powerful interests. In doing so, they have interrogated the various ways that harm and crime emerge in relation to the everyday operation of the political economy.

Thinking about disasters and their harmful outcomes as *crime* fits within this theoretical line of enquiry. Thus, in line with similar critical criminological studies, this thesis applies a critical Marxist framework to bring to light the material processes and political decisions that are behind avoidable disaster outcomes, and to explain how harmful social conditions (such as displacement, landlessness and homelessness) are reproduced during periods of disaster reconstruction. Marx's theory of surplus value, his discussion of capital's constant motion and

its destructive tendencies, and his account of social exploitation have proved useful tools for analysing the various ways that crime and harm are committed by powerful social institutions, either intentionally, or via their indifference, negligence, and subservience to market forces (Tombs & Whyte, 2015). Key to this discussion is the way that Marx conceptualises the laws and inner logic of capital, and the fundamental contradictions that arise between value extraction and social protection. The constant drive for accumulation and wealth by social institutions within the political economy, irrespective of the socially injurious effects generated from accumulation processes, is part of what allows us to reimagine the global political economy as a criminogenic force (Lasslett, 2018).

A critical Marxist framework fosters an understanding of the state's close relationship with capital and its essential function in capitalist societies to foster an enabling environment for value production. Criminologists argue that by taking on such functions, the state often becomes a "bystander, facilitator, and conspirator" in harm production (Tombs & Whyte, 2015, p. 54). Clarifying this, they point to positive and negative forms of complicity of the state in harms committed by corporate actors in pursuit of their interests (Whyte, 2009, p. 32). States, for example, commonly craft policies reducing minimum standards of protection, as a way of enabling corporate activity and investment, or ignore corporate practices that violate human rights because these practices also achieve state interests. Such claims that states have played a role historically in creating the conditions for state and corporate criminality and impunity can be used to challenge hegemonic ideas about humanitarianism and its relationship and independence from states. These concepts serve as a basis for exploring how humanitarian institutions, in situations of disasters, project state power and legality, and collude with states in their deviant and violent strategies for accumulation.

In the first volume of *Capital*, Marx explains criminogenic dynamics of the market by underlining the capitalist mode of production as an historically contingent system arising from the elimination of traditional forms of subsistence labour and the accumulation of the means of production in the hands of a dominant capitalist class (Marx, 1976, p. 1022; 1978a, pp. 22–23). This shift in the character of production from a pre-capitalist to capitalist one changes the entire social structure, corresponding to the way that Marx envisaged social relations as the 'totality of production relations' (Marx, 1978e, p. 207). Within the capitalist mode of

production, men and women ‘enter into definite relations that are indispensable and independent of their will...[corresponding] to a definite stage of development of their material powers of production’ (Pearce, 1976, p. 52). These material conditions organise the social relations that emerge between those owning the means of production (the capitalist) and those beholden to selling their labour power on the market (the wage labourer). Power is conceptualised as a struggle between class forces and their ideas – between the ruling capitalist class (exercising repression/control) and the labouring class (exercising resistance).

Marx’s theory of capital also underlines the structural factors that create incentives for harm and crime in capitalist societies. He explains that since productive capital relies on the creation of surplus value – the value accrued by the capitalist over and above the cost of the labour power invested in the production of a commodity²⁰ – it must always seek new ways for expansion. The incessant drive for surplus value – the *logic* of capital – motivates capital (through its owners) to pursue all means necessary to provide the fastest growth possible, irrespective of the social cost, including the negative impact on worker wages, labour and living standards, and environmental sustainability (see Marx, 1978e, pp. 210–11; Marx, 1978c, p. 221). For this reason, Marx draws a causal connection between the processes of accumulating and valorising capital by capitalist institutions and the accumulation of human misery. In doing so, Marx essentially describes a “criminogenic structure of capitalism” – a structure of social institutions inclined toward producing social harm and inequality through the ways that the means of production are relentlessly pursued and materially appropriated, often at the expense of human rights (Whyte, 2009, p.64; Hillyard & Tombs, 2004, pp. 31–54).

Crucially, Marx brings to light the violent practices by the state, corporations, and capitalist elites that are associated with capitalism’s practical realisation. These practices arise in the context of Marx’s discussion of primitive accumulation²¹ as the first stage of capitalist development, in which the capitalist aggressively targets the means of production (namely raw materials, land resources, and cheap labour power) and seeks to exploit them to supply the

²⁰ In other words, surplus value is value produced but not returned to the owner of the labour power. Instead, surplus value is claimed by the capitalist and is the source of all profit. See Marx (1976, p.725-761).

²¹ Primitive accumulation defines the movement from pre-capitalist to capitalist society, whereby the economic system starts to become replicated within the system of social relations (Marx, 1976, pp. 873–904; Polyani, 2001, pp. 72–74).

needs of industrial capital (Marx, 1976, pp. 874–75, 1068–75). Historical research²² of these processes have evidenced a range of illegitimate and violent methods used by states and the capitalist class to achieve the goal of accumulation, including the separation of the masses from their means of their subsistence (the commons) and control of the capitalist class over the means of production (see Thompson, 2013a, pp. 207–53). Adding to this, state-corporate and corporate crime scholarship has empirically illustrated a number of serious offenses driven by capitalist forms of competition and production, ranging from cartels and price-fixing, to fraud, speculation, and corruption, to environmental harms and contrived wars for access to new markets (see Sutherland, 1983; Whyte, 2007, 2009, pp. 64–68; Michalowski and Kramer, 2010; Lasslett, 2014; Tombs & Whyte, 2015; MacManus, 2018). It is often argued that many of these offences, which have serious human rights impacts, are products of ‘criminogenic relationships’ between states, corporations, and other powerful social groups (Pearce, 1976; Whyte, 2009). How the state and legal system are implicated in these patterns of criminality is the subject of the next section.

II.II The capitalist state and rule of law.

Borrowing from the Marxist view, the state is an historically contingent abstraction of the economic mode of production; or in other words, the state apparatus is appropriated to enforce class interests (Marx, 1978b, p. 187). Based on this configuration, Marx suggests that the state applies its coercive force against the labouring classes when their acts threaten to undermine the dominant social order, thus showing why certain acts are labelled as crime and other acts are rarely treated seriously (Pearce, 1976). This view has also been used to question the nature of law as an instrument of class domination and the protection of privilege interests. Critical scholarship has shown how the state apparatus uses law to authorise its naked force, and to legitimise the theft, exploitation, and violence of the capitalist class (see Thompson, 2013a, 2013b; Mattei & Nadar, 2008). This is particularly evident in the relationship between law and absolute concepts of private property, whereby the law authorises the power to exclude others from something that is in the interests of everyone (Singer, 2000).

²² In the *Black Act*, Marxist historian E.P. Thompson describes the seizure and legal enclosure of English pastures and woodlands by a newly emerging capitalist class during the 17th century that entailed the violent suppression by the state of those resisting these processes. Marxist analyses of peasant land dispossession point to an historically distinct pattern of criminality associated with the pursuit of non-capitalist spaces for capitalist accumulation and the production of surplus value (see, for example, Green et al., 2015; Wood, 2013).

Marx's views, and refinements of his theoretical framework, have informed ways of understanding the criminogenic character of the state-capital relation, and the role that law plays in advancing processes of accumulation that produce harmful social consequences. Adding to an understanding of the state's role, and the nexus between the state and violence, Tilly's (1982) work on the "racketeer state" has been used to critique conventional understandings of state protection. Tilly's exploration of processes of state formation leads him to conclude that states have historically organised a protection racket by offering protection to populations, at a price, from threats created by the state's own extractive activities (see also Whyte, 2009, pp. 28–35; Green & Ward, 2004, pp. 2–4).

Tilly touches on two important points for understanding the criminogenic qualities of the state. First, he shows that processes of state formation, which involved the state's competition with other organised groups using violence (i.e., bandits, pirates, gangs), reveal similarities between the state's legitimate means of violence and the illegitimate means used by its rivals. The state's neutralisation of its rivals, he illustrates, often entailed bringing them inside the state apparatus and benefitting from their means of violence. Tilly therefore sheds light on the alliances and collusive relations that crystallise between states and organised criminal groups, which has been used in criminological analyses of state violence (Whyte, 2009, p. 28). Tilly further emphasises the interconnectedness between state-making and capitalist expansion. He argues that the state's endeavour to monopolise the means of violence, through the activities outlined above, have forged an historical alliance with the capitalist class, who supply the means for war-making and later, state-making. In short, historically, through war-making and extraction, the state has developed a 'durable interest in promoting the accumulation of capital' (1982, p. 4). It is to these synergies between the state and capital that we now turn to examine post-conflict/post-disaster environments.

II.III Disaster capitalism and the criminogenic features of reconstruction environments.

Similar to Tilly's observations, David Harvey (2003) offers valuable insights on the criminogenic structure of global capitalism within the context of north-south relations (i.e. Haiti and the U.S.). Harvey's framework on capitalist imperialism scrutinises the forces at work when the 'politics of the state and empire' merge with the 'molecular processes of capital

accumulation in space and time' (2003, p. 26). Drawing on the work of Rosa Luxemburg (2003) and Hannah Arendt (1968), Harvey describes two separate, but closely interlinked, logics of power that influence state behaviour. He demonstrates that modern states are incentivised to follow a *capitalist logic* of power, meaning that their strategies are shaped by the needs of capital to acquire the means of production and create surplus value. Yet, states also operate according to a *territorial logic* of power. Processes of accumulation as they have unfolded over time have incentivised states²³ to find new political and administrative arrangements that will best mediate capital flows and allow states to consolidate their power within a defined territory (2003, p. 105). In this way, Harvey reinforces Tilly's observation that states are incentivised to use their monopoly of power to for political and material advantage. Harvey therefore urges us to think about the criminogenic tendencies of states in the following terms:

It is the state that is the political entity, the body politic, that is best able to orchestrate institutional arrangements and manipulate the molecular forces of capitalist accumulation to preserve the pattern of asymmetries in exchange that are most advantageous to the dominant capital interests working within its frame. (2003, p. 132)

An important corollary to Harvey's thesis is that one particular direction of state power is shaped by capital's cannibalistic tendencies. Explaining this, he revisits a cornerstone of Marx's theory on the circulation of capital. Not only must capital circulate continuously or die, as Marx posits, but it must also accelerate the speed of its circulation to bring competitive advantages (Harvey, 2014, p. 73; Marx, 1976, pp. 711–12, 874–47, 881). Consequently, there are structural pressures exerted by the capitalist mode of production to break down barriers related to time and geography that prevent capital from flowing freely and pursuing its maximum surplus value (Harvey, 2003). Harvey therefore outlines the perennial problem of over-accumulation that arises when capital is confronted with a lack of opportunities for reinvestment (Harvey, 2003, p. 149). In doing so, he re-articulates the state's position to break down barriers for capital flows. States become motivated to find a spatial fix to their home-grown problems of over-accumulation, thus nurturing their tendency to use their coercive powers and definitions of legality to open up new territories for capital penetration (2003, p. 145).²⁴

²³ By states, I am referring to the dominant interests that have captured the state.

²⁴ What drives the predatory gaze toward the global south, Harvey (2003) maintains, is not only the expansionary logic of accumulation and the dynamics of capitalist competition. It is also the preservation of elite interests and conditions of wealth inequality. Harvey maintains that in the global north, particularly the U.S., the circulation of

Harvey's term "accumulation by dispossession" captures a spectrum of state practices linked to the state's role to expand opportunities for capitalist reproduction. His concept resembles Marx's depiction of processes of primitive accumulation, whereby the state orchestrates the conditions necessary for the capitalist to enclose customary land, appropriate nature for production processes, and press subsistence farmers into dehumanising forms of wage labour (Harvey, 2003, p. 145). State practices include pushing for privatisation, deregulation, beneficial labour arrangements, and the release of assets at low costs. To achieve these desired outcomes, dominant states typically forge alliances with local governing elites who can supply repressive policing and paramilitary structures, as well as the structural, institutional, and legal changes conducive to incorporating non-capitalist spaces into processes of production. The state's role in accumulation by dispossession may also entail the state turning a blind eye to the illegal and criminal practices of corporations (i.e., bribery, fraud, theft) to obtain the assets of nations in the capitalist periphery. At the most coercive end of the spectrum, states may also resort to war-making or humanitarian interventions to dismantle nations or communities resisting processes of accumulation by dispossession. These state practices result in significant social changes, including the aggressive liberalisation of local markets, the industrialisation and deregulation of agriculture, and the massively scaled down provision of social welfare (Sassen, 2014).

Important for this thesis, and in line with Harvey's analysis, is Naomi Klein's (2007) identification of disasters as geographic spaces that provide unique temporal and spatial conditions for accelerated accumulation. In *The Shock Doctrine*, Klein argues that disasters are particularly enticing for capital because they usher forward new dynamics of confusion, state dependency, and creative destruction (Klein, 2007, p.16–19). Using the term "disaster capitalism," Klein characterises the criminogenic opportunity structure provided by disasters in two mutually reinforcing ways. First, disasters are treated globally as exciting market opportunities by dominant states, their militaries, and corporate and local elites, who seek to profit from disaster conditions (see also Harvey, 2003, p. 136). Corporations, for example, take advantage of these opportunities by offering for-profit reconstruction services to donor

capital has been constrained by neoliberal politics – elites bend the rules of capitalist production for maximum advantage, while blocking efforts to absorb surplus capital locally (through, for example, public investment) (Harvey, 2003, pp. 208–9).

governments, allowing them to profit from taxpayer money allocated for disaster reconstruction. Corporate profiteering from disaster situations is often legitimised through claims of superiority over local, community-led methods of reconstruction. Similar to other critiques of government outsourcing to corporations, corporate-led disaster reconstruction is marked by high profit margins at the expense of social needs or quality services. Theoretically speaking, however, state practices of re-directing the flow of public money for disaster reconstruction to corporations with little accountability, evidence's the state's function to find new avenues for the circulation of capital (Harvey, 2003).

Second, Klein also observes the way dominant states, especially the U.S. as the global hegemon, exploit the disorder created by disasters to enact socially injurious policies as part of a long-term economic strategy. Irrespective of the harms entailed for disaster victims, dominant states endeavour to exploit reconstruction conditions in capitalist peripheries, with a view to restructuring local economies and making them more amenable to endless accumulation. Disasters are therefore leveraged to coordinate raids on the public sphere and force neoliberal policies related to deregulation, privatisation, and reduction of social spending (Klein, 2007, pp. 6–9). Disaster-affected governments desperate for humanitarian and reconstruction aid, have little recourse but to accept these policies in exchange for humanitarian aid. Klein therefore argues that while populations are in “shock”, and slowly recovering from disasters, their governments are being persuaded to quietly pass new laws and accept arrangements that will inevitably force open their territories to capital and financial flows.²⁵ Moreover, governing kleptocrats often willingly do so, as they find their own ways to consolidate their wealth and power from fresh incoming capital and new structural arrangements (see also Comaroff & Comaroff, 2008, pp. 1–15). Foreign aid packages and institutional arrangements may therefore mask state demands for structural economic changes, in which incredibly painful strings are attached to the gifts of temporary shelter and food to affected communities (Loewenstein, 2015). In short, global responses to disasters can bring

²⁵ Klein writes that capital penetration after the 2004 Asian tsunami displaced people and gentrified empty beaches in a matter of days or weeks (2007, p. 401). This was made possible by the conditions placed on reconstruction aid packages and large-scale loans offered to governments facing significant recovery needs. These conditions included changes in labour laws, land and property deals and rights for private companies, and other areas of economic restructuring and privatisation.

criminogenic circumstances of corporate profiteering and contingent aid at the expense of helping suffering communities and resolving their protection needs.

Reconstruction capital can therefore have a corrosive influence on processes of disaster recovery by provoking new patterns of criminality in the spaces of disasters (Loewenstein, 2015; Klein, 2007; Whyte, 2010). Literature on disasters suggests that land dispossession is a key pattern of state criminality triggered by disasters because of the destruction caused to the built environment (the clean-slate thesis), and the fragility of post-disaster governance (Loewenstein, 2015; Klein, 2007). Land dispossession, enclosure, and privatisation are so common in post-disaster contexts that Klein remarks that ‘rubble is the new *terra nullius*’ (Klein, 2007, p. 402). As explained by Klein and others, influxes of reconstruction capital provide perverse incentives to ruling elites to neglect their responsibilities to provide land for safer housing for disaster victims and to expel victims from land that now demonstrates higher market value (Klein, 2007, p. 399).

II.IV Critical explanations of social vulnerability and violence.

I will now discuss some of the social outcomes stemming from the harms and crime perpetuated by the geopolitical structure of global capitalism. Marx theorised population vulnerability according to social and material consequences of successive stages of capitalist development. Broadly speaking, production processes wreak havoc on populations by taking what is socially necessary for reproduction and placing it in the hands of the capitalist class (Katz, 2001). The way that capital reproduces itself is therefore predisposed to producing surplus populations – people who are superfluous to production processes (Sanyal, 2007). What characterised social vulnerability, in Marx’s view, was the working classes’ lack of access to land, labour disposability and exploitability, and diminished social power and cohesion (Marx, 1976, pp. 781–802).

Scholars have since drawn on the notion that capitalism produces populations who have been made redundant to describe the scale of vulnerability created by the geographic expansion of capitalism. The modern interpretation of surplus populations differs slightly from Marx’s. Some argue that in the capitalist periphery, intensified accumulation is more likely to produce exiled nomads than Marx’s wage-slaves (Sanyal, 2007; Davis, 2006, p. 175).

In other words, there are populations made redundant by the circulation of capital, ‘for whom the doors of the world of capital remain forever closed’ (Sanyal, 2007, p. 55). Urban populations in the global south have particularly attracted this representation. Davis (2006, pp. 172–75), for instance, characterises the forced incorporation of global south land and populations into the market as an example of semi-proletarianisation. He claims that state-initiated semi-proletarianisation has rendered global south cities the new dumping ground for unprotected surplus populations.

More recently, population terms such as “human waste” (Bauman, 2004), “vagabond” (Katz, 2001), “human superfluidity” (Marks, 2011), and “bare life” (Agamben, 1998) to depict the vulnerabilities and struggles of populations cast out of the spaces of production. Such terms imply a social condition of “placelessness” and “non-being” (Butler & Anathasiou, 2013). They describe a social position where one ‘no longer fits or has a place in the overall scheme of things and is in the way’ (Marks, 2011, p. 3). To be made redundant from the capitalist system underscores a process of dehumanisation, defined by a state of rightlessness –the right to have rights (Arendt, 1968; Agier, 2011; Agamben, 1998). To be expendable also conveys a state of constant exposure to violence and exploitation as a result of being shunned from the economic system (Agier, 2013, p. 72; Agier, 2012; Agamben, 1998). Even within their territorial borders, populations struggle to achieve social and spatial belonging and are unable to exercise their citizenship (Agier, 2013). These are experiences to which I will return in Chapters Six and Seven.

These population terms used to express the outcomes of material and political processes often denote a spatial dimension to the way that vulnerability is experienced, especially in urban areas like Port-au-Prince. Scholars such as Mike Davis (2006), Michel Agier (2011), and Loic Wacquant (2008) interpret capitalist exclusion in cities as a form of spatial distancing and segregation, whereby superfluous and undesirable populations are pushed into urban wastelands. Davis detects a particular spatial pattern of exclusion in the way that urban landless people are continually warehoused at the “pariah edge” of the city (2006, pp. 45–48). Agier (2013) similarly uses the term “borderlands of illegality” to describe the extra-legal spatial arrangements that have emerged to supply the means of existence for the perennially excluded. He touches on the role of law in demarcating capitalist zones of inclusion and exclusion.

Agier's borderlands of illegality manifest themselves in the form of displacement camps, informal settlements, and dangerous border crossings. These spatial characterisations call attention to the transient and insecure existence of populations who have been condemned and forgotten through the expansion of production processes and its criminogenic dynamics. The academic discussion about these terms highlights the recurring forced movement of populations from spaces that eventually become attractive to capital, meaning that people are perpetually forced to seek out new spaces of exile and existence (see also Wacquant, 2008, p. 11; Agamben, 1998). In Haiti, these spatial patterns become visible in state-humanitarian approaches to camps and the constant movement of landless people during urban reconstruction.

III.V Disaster governmentality: state reactions to social threats and conflicts.

Thus far, we have discussed capital accumulation as a state-driven and generally criminal process that progressively weakens populations and makes subordinate their needs in the face of the rising dominance of capital. Another way to think about state criminality and violence (and what role humanitarian institutions play) pertains to the reactions of the state to the population problems created by the circulation of capital. While we shall reserve a discussion of social resistance for Chapter Six, here we examine the oppressive character of state power that materialises in response to population challenges to accumulation by dispossession. The question is, how does the state respond to social threats and conflicts engendered by transnational capitalist relations? And what role do states play in enforcing boundaries between inclusion and exclusion to enable capitalist reproduction?

In criminology, these questions have been considered from the standpoint of criminal labelling and crime control (Pearce, 1976; Taylor et al., 1973; Garland, 2001; Aas, 2007, 2013; Bowling, 2013; Aas and Bosworth, 2013; Bosworth and Aas, 2015). For both Marx and Engels, the state uses its definitions of legality to dole out harsh punishments to the working class when their acts confront the foundations of capitalist hegemony (Engels, 1845; Pearce, 1976). Marx noted that social conflicts generated by the gross inequalities of the capitalist system also developed the productive power of the state and industry. He wrote that 'crime, through its constantly new methods of attack upon property, constantly calls into being new methods of defence' (Marx, 1964, in Taylor et al., 1973, p. 224). In this line of theory, capitalist societies

are prone to constructing crime problems to deal with social conflicts and decline generated by capitalist processes of production. These crime constructions, in turn, justify a more sophisticated state architecture for surveillance and control of surplus populations, whose deviancy threatens capitalist reproduction, by revealing the material consequences of capitalist inequality (Pearce, 1976; Hillyard & Tombs, 2004; Taylor et al., 1973).

Considering how states respond to population problems and threats benefits from bringing Marx's critique of political economy into conversation with Foucauldian insights on population and bureaucratic modes of social control (see Bidet, 2016; Lasslett, 2018). Whereas Marx explains the human toll of market exploitation and the mechanics of this process, Foucault's work focuses more broadly on how exploited populations living on the margins are dealt with at the government level. Foucault's concepts are valued for producing an understanding of the rationales, strategies, and techniques involved in the governance of poverty and undesirable populations (Procacci, 1991). Populations may be violently oppressed by states, or they may suffer harm via the political strategies, discourses, and administrative logics of the state that uphold violent structures and conditions (Cooper & Whyte, 2017, p. 3). The exercise of state power, in other words, may express itself in a variety of ways that are harmful and criminal.

Foucault's notion of governmentality is a conceptual device for understanding how surplus populations become dominated by organisational practice. Throughout his work, Foucault sustained interest in the capillary and productive nature of power, and in particular, the operation of power through accepted forms of knowledge and truth. Applying Foucault, we understand that 'knowledge is linked to power, first because it assumes the authority of truth, and secondly, because it has the power to make itself true' (Lilja, 2008, p. 25). Importantly, Foucault's less centralised interpretation of power led him to consider relations of power arising from the historical governmentalization of the state (Foucault, 1991, p. 103). He reasoned that power was not located inside particular structures, *per se*, but could materialise through the discourse, practice, and techniques applied in governing subjects (Foucault, 2012a, 2012b). He described the character of modern governance as the 'conduct of conduct' because he perceived governmental practice as steering human subjects toward specific ends, or as Foucault put it, toward the 'right manner of disposing of things' (Foucault,

1991; see also Dean, 2010, p. 18). Building on Foucault's insights, Walters (2012, p. 16) defines governmentality as the blending of practices around certain knowledge-power axes, which drive regimes of truth about the objects of governance. Since Foucault's work emphasised that governance was the art of exercising power in the form of economy, we may also think of governmentality as the practices that coordinate the subordination of individuals to their specific class and geographical position (Foucault, 1991).

Foucault's concept of governmentality demystifies governmental practices that appear emancipatory and benign, but in reality, embed populations more firmly in relations of domination. It is relevant for explaining when and why certain populations become visible and targeted for outside intervention (Foucault, 1991, 2012a; Proccacci, 1991). Foucault's work underscores that poor populations are not always discarded and repressed by states and dominant classes, as Marxist theory would suggest (Proccacci, 1991). Rather, the underclasses may also become political economy's privileged subjects because they are sought out by regimes of governmental practice for social discipline and regulation. The state's preoccupation with containing threatening sectors of the population becomes the impetus to know populations, correct their contaminating behaviours, and rule them in accordance with the rationalities of the market (Foucault, 1991, p. 100; Proccacci, 1991).

Foucauldian theory has inspired empirical study of different bureaucratic apparatuses that arise explicitly to govern the "zone of unchecked social beings" and transform them into "economic men" and "social citizens" (Gordon, 1991). Foucault shows how the market exists not only as an abusive space, but also as a reference point for bureaucracies to interpret and resolve population problems (Foucault, 2004a). In transnational migration control and policing, Foucault's work has been used to show the densification of forces in achieving state goals of population management (Georgi, 2010). It has usefully cast suspicion on the rising power of international organisations and bureaucracies, their oppressive practices, and their roles for narrowing people's choices based on what the market determines can be known and possible (Foucault 1991, p. 92; Gordon, 1991; Bowling and Sheptycki, 2015; Geiger and Pecoud, 2010; Georgi, 2010). Thus, Foucault's work also adds conceptual tools for investigating the discourses, actions, and behaviours of humanitarian organisations who are drawn into the field of population governance in disaster settings.

III. Conclusion

This chapter has set out the core theoretical concepts that inform the empirical investigation of harm and crime during Haiti's reconstruction process. At the beginning of the chapter, the criminological significance of disasters and their misinterpretation in global discourses were reviewed. The current political framing of disasters treats them as natural and unpredictable events whose material and population effects can be managed through better forms of global governance. In contrast, critical criminology has traced the political-economic structures and human decision-making as a way of illustrating the patterns of organisational deviance behind preventable harms generated during disaster events and after.

Though not explicitly focused on disasters, a growing body of criminological research has called attention to the social conflicts and patterns of crime that arise in reconstruction environments. This research emphasises that new crime patterns are especially influenced by political failures to hold powerful actors to account for crimes committed either before or during crisis periods.

The chapter considered the basis of theoretical inquiry into patterns of crime in relation to the inter-workings of the global political economy, which are relevant to the study of disaster contexts. To that end, the chapter revisited Marx's approach to political economy and his key proposition of capital as value in motion (Lasslett, 2018, p. 59). Marx's overarching framework of processes of capitalist accumulation is useful for conceiving the embedded motivations and methods used by states and the capitalist class to achieve their goal of accumulation. This explanation also unpacks the role of the state and law in reproducing the conditions conducive to capital accumulation. Adding to this, Harvey's framing of accumulation by dispossession exposes the logic of imperialist state practice shaped by capitalism's processes of surplus-value extraction. Combined, both Harvey and Klein provide a rationale for why disasters and reconstruction environments are enticing opportunities for capital accumulation, in ways that incentivise harmful and criminal state-corporate practices. Understanding the state's role and strategies of accumulation in relation to disasters also provides a way of scrutinising the state-humanitarian relationship during periods of disaster reconstruction.

Acknowledging the social vulnerability and conflict created by disasters, Foucault's work offers another conceptual device for questioning how disaster victims are governed by states and humanitarian actors. Foucauldian ideas of governmentality highlight the diversity of state practices, techniques, and strategies that target populations deemed dangerous and out of place – showing how governance is another cartography of power (Walters, 2012, p. 140). He alludes to ways that disaster victims may experience less obvious forms of institutional domination in their struggle for social justice and for alternative ways of living. Foucault's work reminds us that the struggles of disaster victims may in fact entail a struggle against the dominance of bureaucratic managerialism and its preferred styles of thinking, and its ways of achieving social conditions for the benefit of traditional agents of power.

How then are humanitarian institutions entangled in the criminogenic structure of the political economy? Recalling Harvey, a core function of dominant states is to develop institutional arrangements that facilitate and preserve the asymmetrical social relations conducive to capital accumulation (Harvey, 2003, p. 132). His discussion of multilateral institutions (i.e. International Monetary Fund and World Bank) suggests that humanitarian institutions serve state interests in similar ways, such as engaging in practices or providing an institutional form that aids and deepens processes of “accumulation by dispossession.” Bearing this in mind, the repertoire of techniques and practices deployed by humanitarian organisations become important sites for interrogating their practices, their relationship with states, and their exercise of power over affected communities.

In the next chapter, I pursue these lines of theoretical enquiry by examining the proximity of humanitarian organisations to the state, law, force, and violence, while subjecting the governing styles of humanitarian organisations to critical analysis.

Chapter Two

Toward an Understanding of State-Humanitarian Harm and Crime

In the previous chapter, I discussed the criminogenic characteristics of disasters, as well as post-disaster processes of reconstruction. Drawing on different theoretical approaches, I explored the ways in which disasters entice global capital and give life to new forms population control that are required to maximise opportunities for capital penetration. I also highlighted the essential role that the state plays in creating an enabling environment for “accumulation by dispossession.” Disasters thus provide opportunity structures for crime (especially housing/land-related crime as discussed in this thesis) as states, elites, and businesses seek to exploit moments of destruction to advance their goals for accumulation and production, despite the social needs of the affected population. Yet, as covered in the last chapter, state actors and their accomplices may not only resort to repressive means and conventional forms of violence to achieve their socially contentious goals. Disasters also produce strong incentives for the disciplinary control of disaster victims to organise populations according to the ‘right order of things’ as dictated by the laws of capital.

Mindful of these theoretical assertions, this chapter probes the meaning, function, and outcomes of global humanitarian action in criminogenic reconstruction environments. It considers the substantial academic literature²⁶ on global humanitarianism to provide an overview of the various ways that humanitarian organisations co-produce harm and crime, either through their interactions with states and other powerful actors, or via the way that humanitarian action is conducted. To accomplish this, the chapter begins by exploring the broader political-economic context that establishes and mediates the power of humanitarian organisations to intervene in the lives of crisis-affected people.

Some of the literature in this regard suggests that humanitarian action is predicated on the interests of dominant states. The argument is that humanitarian organisations have historically served state goals in a variety of ways including temporarily alleviating the devastating effects of war or deepening the effects of neoliberal economic changes forced on

²⁶ The literature was drawn from political science, sociology, anthropology, law and forced migration studies.

peripheral states. In terms of its function and purpose, global humanitarianism in this view exists primarily to prop up an inherently exploitative capitalist system.

Moving on from these perspectives, the chapter explores the routinized harms that are produced by an expanded and bureaucratic humanitarian system that has emerged with globalisation.²⁷ I consider the implications of radical shifts in humanitarian practice that correspond to the way that humanitarian organisations have been co-opted into the peace, security, and development agendas of dominant states (i.e. the U.S.). One claim explored is that humanitarian organisations are increasingly under pressure to transcend traditional mandates that have previously limited their activities to emergency relief and the protection of civilians. Scholars argue that global humanitarianism is currently more politicised than ever before, with humanitarian organisations increasingly willing to undertake tasks that generate serious ethical challenges for them (Duffield, 2001; Weiss, 2013; Maren, 1997).

The chapter concludes by considering the humanitarian marketplace and some of institutional drivers for unethical and criminal conduct. It discusses how the growing demand for humanitarian action by states has produced a highly competitive humanitarian industry with little state oversight or regulation. Some speculate that the more saturated the humanitarian marketplace has become, the more perverse incentives and harmful self-interested conduct are seen (de Waal, 1997; Weiss, 2013). I look at the dynamics of supply and demand operating in the humanitarian industry that may motivate organisations to cross ethical lines, support questionable state policies, or prioritise organisational self-interest over the rights and safety of vulnerable populations.

Thus, to move toward a better understanding of humanitarian harm production and criminal activity, this chapter will consider different levels of analysis, and will evaluate the contribution of humanitarian organisation to harms that may be considered criminal (see Green & Ward, 2004, pp. 28–51; Kramer et al., 2002). In subsequent chapters, my empirical discussion of Haiti will draw from these different levels of analysis, and the empirical examples presented here that illuminate the criminogenic relationships between humanitarian organisations and states. As the reader engages with this chapter's topic of humanitarian

²⁷ By globalisation, I mean the 'growing interconnectedness of states and societies' that affects the way that localities are shaped by global events and processes (and vice versa) (see Aas, 2013, p.4).

criminality, he or she may wish to consider two important questions: How do the criminal agendas of states define and interact with the goals of humanitarian organisations? What are some of the motivations and opportunity structures for humanitarian organisations to commit crimes that facilitate state interests?

I. Problematising Humanitarianism: An Overview

The last four decades has seen a large amount of literature on the harmful social impacts of international humanitarian aid in situations of conflict and disasters (see, for example, Harrell-Bond, 1986; de Waal, 1997; Duffield, 2001, 2008; Branch, 2008; Agier, 2011; Barnett, 2011; Fassin, 2012; Donini, 2010; Kennedy, 2004; Foley, 2008; Boano, 2009; Feldman, 2007; Schuller, 2012b, 2016; Collinson, 2016; Hyndman, 2009; Hilhorst, 2002; Hilhorst et al., 2010; Walters, 2011; Rieff, 2003; Peake, 2013; Geiger and Pécoud, 2010). Humanitarian organisations have been accused of directly enabling and obscuring state crimes; entrenching elite power; dispossessing the most vulnerable; reproducing social inequalities; and advancing ideologies that underpin the global neoliberal project. There are numerous examples of humanitarian aid prolonging wars, destroying local economies, intensifying state violence, restricting population movements, and contributing to the creation of concentration camps (Slim, 2015, p. 184).

Scholars have even claimed that entire populations in peripheral states are being systematically weakened as a result of their subordination to humanitarian care and relief (de Waal, 1997; Schuller, 2012b; Farmer et al., 2004). An example of this is given by Alex de Waal (1997), who traced the side-by-side effects of neoliberal economic policy and the expansion of humanitarian responsibility for famine relief and prevention. De Waal's account shows how band-aid humanitarian relief played a crucial role in destroying the political contract between African governments and their citizens, which he argues was the underlying cause of preventable famines in countries such as Sudan and Ethiopia. Structural or institutional critiques of humanitarian work, such as de Waal's, are supplemented with documented reports of individual-level crimes by humanitarian officials, involving fraud, corruption, and sexual abuse (Branch, 2008; Ewins et al., 2006). As well-demonstrated by the recent Oxfam sexual abuse case, senior staff of humanitarian organisations are commonly implicated in covering

up harms and crimes committed by staff members, in order to maintain their organisation's favourable position in the humanitarian marketplace.

Despite the serious nature of these above-mentioned allegations, what makes humanitarianism instrumental to the exercise of state power, yet so elusive to criminological study, is its moral hegemony. Repeated concerns about the operation of the global humanitarian sector has done little to affect the number, size, power, or responsibilities of international humanitarian organisations. During the first decade of the post-Cold War period, humanitarian funding increased five-fold from US\$800 million in 1989 to US\$4.4 billion in 1999 (Weiss, 2013, p. 72). In 2017, international humanitarian organisations received over US\$25 billion in external funding from states and the private sector to provide their contracted services and products to people affected by crises (Collinson, 2016; ICVA, 2016). Weiss (2013, p. 73) estimates that from 2003 to 2013 donor governments spent over US\$90 billion on humanitarian assistance. Not surprisingly, over one-third of this humanitarian aid was provided by the United States (2013, p. 73). The U.S. share of humanitarian funding is important because of its dominant role in facilitating the global flow of capital and reorganising state relations and local economies to its advantage (Harvey, 2003; Kiely, 2010).

Corresponding to this financial trend, the United Nations has broadened the territorial access and legal mandates given to humanitarian organisations to respond to global patterns of poverty and violence (Duffield, 2001; Barnett, 2011). Until the 1990s, humanitarian organisations predominantly focused on alleviating human suffering in conflict-affected rural areas. Today, they respond to a whole range of global threats, including urban violence, climate-change migration, and unauthorised mixed movements of refugees, economic migrants, and asylum seekers (Kihato & Landeu, 2016; Andersson, 2014; Reid & Sending, 2014; Duffield, 2001). The rapid growth in financial resources and expansion of humanitarian mandates evidences a clear demand by states for humanitarian action that can respond to global threats and work toward a unified economic space (Chimni, 2000). In parallel to this trend, each successive relief operation bolsters the authority, power, and resource base of humanitarian institutions (de Waal, 1997, p. 85).

The international bodies, organisations, and professionals working in the humanitarian sector are aware of the criticism of their relationships with states and their asymmetrical power

relationships with local communities. Nevertheless, official reaction to academic or media criticism tends to emphasise the tenuous position of humanitarian organisations in crisis zones, as well as the repeated institutional efforts led by the United Nations to reform and professionalise the humanitarian sector (de Waal, 1997; see also Walker & Russ, 2011, p. 215). As many critics point out, humanitarian reform processes have generally failed to resolve serious gaps in organisational accountability and have not altered incentive structures promoting organisational complicity with state crimes (Collinson, 2016, p. 1; Duffield, 2001; de Waal, 1997; Weiss, 2013). Scholars frequently attribute the lack of regulatory or behaviour change in the humanitarian sector to the institutional and political conditions that benefit from the current structure of humanitarian action (see de Waal, 1997, pp. 79–82; Donini, 2010).

The humanitarian sector is able to mask its systemic flaws by its close and complex links with states, academics, and human rights advocates and organisations. Regimes of knowledge created around humanitarian action have been complicit in silencing victims and whitewashing organisational failures (Chimni, 2000; Malkki, 1996; Polzer and Hammond, 2008). No matter how often humanitarian organisations fail to deliver on their objectives, or participate in the commission and omission of acts that lead to the violation of human rights, they have largely managed to retain their privileged position as capable and expert international institutions guided by universal liberal values. Their privileged position is related to the liberal assumption that international institutions play an esteemed role in championing normative values, solving collective problems, and building the capacity of under-developed states and civil societies (see Chandler, 2001; Barnett & Finnemore, 1999). The media also tends to represent humanitarian organisations as compassionate, impartial, and problem-solving institutions (de Waal, 1997).

For these reasons, much academic literature on humanitarian action has identified and referred to humanitarian institutions as protection actors. That is, they *protect people from harm* and are not related to acts of harm (see Cohen & Deng, 1998; Mooney, 2002, 2005; Orchard, 2010; Ferris, 2011). Global discussions of humanitarianism and protection make explicit reference to vulnerable groups whose governments cannot or will not protect them, making a case for humanitarian organisations to address unmet needs and protection concerns (Ferris, 2011, p.4, 66). The positive connotation of the term “protection actors” bestows considerable

legitimacy on the actions and governing styles of humanitarian organisations (Ferris, 2011). It reinforces the view that humanitarian organisations are *capable* actors and operate *separately* from states. Humanitarian organisations are thus credited with creating a *buffer zone* between needy populations and a range of deviant local actors who may wish to harm them (Orchard, 2010). The general impression is that humanitarian interests and the interests of crisis-affected populations are aligned.

The saviour/protector characterisation of humanitarian organisations detracts from broader structural questions pertaining to the role of humanitarian organisations and impact of short-term, emergency relief. It also suppresses consideration of non-institutional forms of human welfare that may be better suited to alleviating human suffering (such as debt relief, reparation, land redistribution, etc.). Even vigorous critics of humanitarian conduct largely refrain from assessing the overall desirability of humanitarian institutions, choosing instead to promote regulation, transparency, and accountability as methods for stemming harmful humanitarian conduct and the development of collusive relations with states (see, for example, Slim, 2015).

At both an organisational and UN-level, routine attempts are made to deflect blame and responsibility for the harmful outcomes of humanitarian activity, allowing organisations to evade punishment or even dissolution. Humanitarian narratives of denial usually plead ignorance or beg clemency from the global public for acts or events that may have gone wrong in the pursuit of noble humanitarian goals (de Waal, 1997, p. 65). Within academic and policy discourses on international humanitarianism, a common set of defences that justify the harmful consequences of humanitarian action include:²⁸

- Humanitarian organisations lacked knowledge of the context and therefore made bad decisions.
- Humanitarian organisations lacked resources and authority to do their jobs properly.
- Humanitarian organisations unintentionally engaged in poor coordination with other actors, such as local communities, states, and other aid providers.
- Humanitarian organisations' hands were tied by local state authorities.
- Humanitarian organisations simply had difficulty navigating real-world constraints in the delivery of aid or development of policies.

²⁸ The bulleted list is drawn from Bell (2007, p. 2), Collinson (2016), Ferris (2011), and Slim (2015).

As we might suspect from this list, the proponents of humanitarian action see examples of “bad humanitarianism” as one-off defects that can be corrected through standardisation, professionalisation, and reform (Duffield, 2001). Especially amongst humanitarians themselves, culpability for bad humanitarianism is absolved through what Edward Said raised about ‘orientalist’²⁹ discourses about ‘the other’. As some have observed, humanitarian institutions often show passive acceptance for the harms and human rights violations caused by their conduct by protesting that such outcomes were unavoidable in the dark and dangerous working world of the global south (de Waal, 1997; Duffield, 2001).³⁰

Denial plays an important role in obscuring humanitarian harm and crime, and humanitarian defence and denial strategies are discussed in Chapter Eight. However, it is worth noting here that there are documented cases of humanitarian organisations spearheading or participating in criminal cover-ups. For example, Alex de Waal (1997) describes how the UN Emergency Office for Ethiopia (UNEOE) coordinated a system-wide cover-up of the Ethiopian state’s diversion of food relief and its perpetration of serious human rights violations. De Waal suggests this was done to maintain public confidence in the UN-led relief operation and to preserve the UN’s close working relationship with the Ethiopian state. According to de Waal, UNEOE refused to report the theft of its food relief by the Ethiopian military and actively prevented a meaningful evaluation of the famine relief and prevention activities. They also hid how international NGOs were complicit in executing the government’s forced resettlement of people from famine-affected areas (de Waal, 1997).

II. Defining International Humanitarianism and Humanitarian Organisations

To speak of humanitarian crime and state-humanitarian crime requires a brief explanation of the subject matter under scrutiny. It must be recognised that humanitarianism is a contested concept, characterised by different definitions and ontological perspectives

²⁹ Said’s (1978) concept of Orientalism showed the various ways that Western cultural representations misrepresent non-Western people, exaggerate the West’s superiority, and are used in practices of political domination.

³⁰ We are reminded of Frantz Fanon’s (2001) insights on the Western construction of ‘the native’ during colonisation and decolonisation. The detached complicity of humanitarian actors for harms they have caused thrives off victim-blaming and racialized portraits of global south incivility (Fanon, 2001; Smirl, 2015). Humanitarians may even justify the adverse outcomes of aid by claiming that aid beneficiaries were *lucky to receive any help at all* from their stronger, more civilised caregivers (Smirl, 2015).

(Walters, 2011). Scholars have described humanitarianism as an ideology (Chimni, 2000; Donini, 2010; Fassin, 2012); an organisational identity (Collinson, 2016; Manzo, 2008); a regulatory apparatus (Agier, 2011; Collinson, 2016); a field of governmental practices (Walters, 2011; Duffield, 2001; Fassin, 2012); and an industry (Andersson, 2014; Krause, 2014; Weiss, 2013). Entering the definitional debate, Weiss (2013, p. 10) states: ‘humanitarianism (noun) consists of actions to improve human well-being or welfare, a humanitarian (noun) is a person who actively promotes human welfare, and humanitarian (adj.) usually means philanthropic or charitable.’

Substantive debate over what constitutes humanitarian action produces different perspectives of the nature and purpose of such action, as well as disagreement over what type of organisation can legitimately label themselves as humanitarian (Donini, 2010). For example, private companies may attach the term “humanitarian” to their for-profit activities in humanitarian supply chains (Barnett, 2011; Weiss, 2013, pp. 42–48).

The composition of the international humanitarian system, and the range of practices that qualify as humanitarian, has shifted over time. Scholars recognise that different forms of humanitarian activity were dominant in different historical periods, as influenced by the political-economic interests of dominant states (Barnett, 2011; Chimni, 2010). Barnett (2011) marks out three distinct forms of humanitarian action: imperial humanitarianism (18th century to 1918); neo-humanitarianism (1949–1992); and liberal humanitarianism (1992–present). The present humanitarian system is frequently described as oligopolistic in composition (ALNAP, 2018). Weiss (2013) clarifies that at present a handful of UN agencies (e.g., UNHCR) and fifteen to twenty major international NGOs headquartered in the U.S. and Europe (e.g., Oxfam, MSF, Save the Children) dominate the humanitarian field in terms of activities and resource mobilisation. In 2015, five international NGOs accounted for 31% of global humanitarian expenditures (ALNAP, 2018).

The fluid conceptual boundaries around humanitarian action gives scholars pause about becoming overly deductive in their analyses of humanitarian power relations. In other words, not all humanitarian action can be considered intrinsically criminogenic, and some organisations may be more prone to criminality than others (Friedrichs & Friedrichs, 2002). Though dominant forms of humanitarianism have produced easily recognisable harmful

consequences, there is a rich history of alternative humanitarian practices that have resisted politicization by states and served to counter state power (Barnett, 2011, p. 55; Slim, 2015). A good example is the recent acts of private citizens in Europe who, in the name of humanitarian solidarity, have risked criminalisation by assisting vulnerable migrants and asylum seekers to safely cross borders and pursue asylum claims.³¹ David Kennedy reminds us that there are multiple forms of humanitarian practice, including ‘humanitarianisms of the left and the right, of the establishment and the margin, and everything in between. There are humanitarianisms of Europe, of Africa, of the global, and of the local’ (Kennedy, 2004, p. xv).

The internal structure of humanitarian organisations differs in terms of their ethos and normative values, with different organisational models and forms of engagement (Donini, 2010). Academic study of organisational practice has tended to distinguish between emergency humanitarianism and alchemical humanitarianism (Barnett, 2011). Emergency humanitarian organisations – such as the International Committee of the Red Cross (ICRC) – are strongly committed to their original mission of saving lives and limit their actions to this goal. They strictly interpret and adhere to the four core principles of humanitarian action: humanity, neutrality, impartiality, and independence (Ferris, 2011). In contrast, alchemical humanitarian organisations are willing to bend core humanitarian principles in order to address the root causes of human suffering (Barnett, 2011). Scholars have sometimes presented this latter category of humanitarianism as one that has “mandate issues” or “boundary problems” (Slim, 2015). They are more likely to face ethical tensions in carrying out their work (Slim, 2015), largely because such organisations are more easily incorporated into state security agendas (Duffield, 2001).

There are some common characteristics amongst the larger, Western-run humanitarian organisations. Many of them can trace their foundations to Christian beliefs and the civilising mission of the Enlightenment (Donini, 2010). With some exceptions, most humanitarian organisations receive the majority of their resources from dominant states, and increasingly seek private funding from corporate philanthropists (Slim, 2015). As alluded to above, some

³¹ Examples are outlined in a report by the Institute of Race Relations, “Humanitarianism: The Unacceptable Face of Solidarity.” Accessed on 1 January 2019. Retrieved from http://s3-eu-west-2.amazonaws.com/wpmedia.outlandish.com/irr/2017/11/10092853/Humanitarianism_the_unacceptable_face_of_solidarity.pdf

of these organisations have a hidden history of participation in colonial administrations (Slim, 2015, p. 10). Especially in large humanitarian organisations, humanitarian personnel are often accused of living colonial lifestyles, and having voyeuristic and risk-taking behaviours (Slim, 2015, p. 11; Roth, 2014). In her study of the behaviour of humanitarian personnel, Roth (2014, p. 7) writes that “Aidland” is filled with foreign staff drawn to ‘living and working...on the edge.’ Similarly, Smirl’s (2015, p. 40) research finds that aid workers tend to see everything around them as ‘dangerous and polluting.’ This perception, she contends, has fortified a number of physical enclosures around the aid worker experience that are meant to keep the aid worker safe from exaggerated security threats (see also Dandoy, 2013). Smirl (2015) details how the daily experience of aid workers entails constant movement from the car, to the compound, to the hotel, giving humanitarian workers minimal face-to-face contact with the people under their care.

Analysing humanitarian and state-humanitarian crime requires coming to terms with the different elements and interrelationships that comprise the global humanitarian system. While a deep dive into the different components of the global humanitarian sector is beyond the scope of this thesis (see, for example, Collinson, 2016; Currion, 2018), there are a few points helpful for criminological analysis. The first is that the humanitarian sector is poorly regulated. There are no real barriers of entry into the humanitarian field, meaning that an organisation can designate itself as humanitarian and operate as such with minimal interference (Donini, 2010). Furthermore, there are serious gaps in international law to govern the conduct of international organisations and provide recourse to victims of abuse (Ferstman, 2017). Most humanitarian organisations are left to operate according to internal and international codes of humanitarian conduct, making their adherence to those rules largely a matter of self-enforcement (Slim, 2015; Ferstman, 2017). Donor governments and the states in which humanitarian organisations work have little incentive to monitor humanitarian behaviour and enforce normative codes, especially since they often influence the direction or boundaries of humanitarian activity (Weiss, 2013).

The second important point to note is that organisations that explicitly call themselves “humanitarian” during times of emergencies frequently identify themselves with other labels (such as a development or migration organisation) (Collinson, 2016, p. 1). Chimni (2000, p. 3)

claims that the multiple and vague identities of organisations contribute to their lack of scrutiny and manipulative use by states. Others see the fluid identities of organisations as a problematic by-product of aid industry competition, whereby organisations broaden their mandates to increase their share of the aid market regardless of their commitments, experience, or capacity (Currión, 2018). There are also clear hierarchies in the global humanitarian sector that can affect the diffusion of unethical and criminal conduct. As David Rieff (2003) illustrates in the Bosnian experience, UNHCR's ability to command the lion's share of donor resources bred conformity amongst other NGOs reliant on its funding and subcontracts. Rieff suggests that these dynamics kept humanitarian organisations from speaking out or resisting the population containment strategies designed by the UNHCR (and major donors) to keep Bosnians from leaving the country as refugees, leading to significant loss of life.

The global humanitarian system can be viewed as a network of organisations or as a coordinated institutional structure.³² Specific networks and institutions of collaboration exist for the protection of refugees, migrants, and internally displaced people, who are often targeted for social control. The ensemble of international humanitarian organisations is referred to as a system to denote harmonised goals, normative values, streamlined practices, and mechanisms of interdependence amongst organisations carrying out humanitarian work (Collinson, 2016, p. 7). The "system" terminology also signifies that humanitarian organisations increasingly offer specialized and interrelated functions within the ecosystem of humanitarian aid (Collinson, 2016, p. 7). For example, some humanitarian organisations have technical expertise in food assistance, while others claim to specialize in the management of displacement camps.

Recognising these nuances is valuable for understanding that organisations play different roles within system-wide humanitarian responses. As such, some organisations may be more or less prone to norm-breaking conduct than others, based on the specific motivations for illegitimate activity within their respective area of work. While criminologists may discover individual cases of organisational deviance, they may also find that the entire humanitarian sector has participated in defending or normalising that deviancy (Collinson,

³² The United Nations Cluster System, which allocates responsibility to different UN agencies according to sectors of humanitarian relief (e.g., water and sanitation), is an example of a coordination structure (see Chapter 4).

2016, p. 13). It should therefore be emphasised that different organisations may embody different degrees of complicity in state crime, depending on their activities and participation in public discourse.

III. The Criminological Dimensions of Humanitarian Action

The remainder of this chapter presents different conceptual perspectives on the power, politics, and propensity of humanitarian organisations for harmful behaviour. The following sections discuss both the form of humanitarian organisations as well as the political and market factors that shape organisational behaviours.

III.I Humanitarianism and the state: ideology and co-optation.

One way to place humanitarian organisations on the criminological agenda is to scrutinise the humanitarian form and its structural/ideological relationship to the criminal activity of states (as discussed in Chapter One). As mentioned, major humanitarian organisations are usually dependent on dominant states (such as the U.S. and Britain) or blocs of states (i.e. the European Union) for funding, and on the states in which they are intervening for authorisation and access to local communities – with some noticeable exceptions.³³ These conditions of dependency can lead to ethical dilemmas for humanitarian organisations.

In the past, humanitarian organisations have been accused of maintaining silence about atrocities for fear of upsetting states and jeopardising their access and ability to perform their humanitarian activities (Weiss, 2013). Humanitarian organisations commit to principles of neutrality and impartiality, and are encouraged to avoid justice-related issues in the delivery of their services (Chimni, 2000; Harvey, 2014). Through their commitment to state sovereignty and their dependence on states, they are structurally designed to operate ‘without ever interfering in the further accumulation of the wealth from which they derive their sustenance’ (Harvey, 2014, p. 296).

³³ For example, Médecins Sans Frontières (MSF) claims that it rarely takes funds from governments or businesses and mainly relies on small donations from individual members of the public. See MSF’s website: <https://www.msf.org.uk/were-independent>.

Historically, humanitarian organisations have become the witting and unwitting agents in the implementation of interventionist state policies that help expand or restore the flow of transnational capital (Chimni, 2000). There is a long colonial history of collusive relationships between states and humanitarian organisations in perpetrating large-scale theft – to the extent that some historians have described humanitarian organisations as the unofficial arm of colonial policies (Lischer, 2007, p. 108; Davey et al, 2013; Skinner & Lester, 2012). For example, in the past, humanitarian organisations provided health services to exploited colonial labourers as a means of guaranteeing their physical fitness for hard labour (Davey et. al., 2013). Humanitarians were also primary agents for delivering “civilising education” to indigenous populations. In that role, humanitarians promoted colonial values, conducted surveillance on local communities, and diffused potential rebellions against the colonial order (Barnett, 2011, p. 55). During the Cold War, humanitarian organisations were often co-opted into anti-communist state strategies. For example, the UN High Commission of Refugees was created and almost named the Democracies Emigration Organization because of the way Western states planned to use the multilateral agency (and refugees from communist countries) to win their territorial battle with the Soviet Union (Harrell-Bond, 1985).

More recently, humanitarian agencies have been criticised for legitimising state counter-terrorism strategies in Afghanistan and crimes of aggression in Iraq (Foley, 2008). Foley describes the close links between the delivery of humanitarian aid in Afghanistan and US-British military operations to the extent that humanitarian needs assessments were sometimes used for intelligence gathering purposes (2008, pp. 110–18). Humanitarian organisations also contravened their principles of neutrality and impartiality by allowing the occupying forces and foreign donors to dictate areas of humanitarian assistance (those with strategic value to counter-insurgency operations) and to threaten withdrawal of assistance to Afghan populations that refused to report insurgents (2008, p. 111). Humanitarian action therefore constituted an important element of the state’s counter-insurgency strategy.

In transit centres and detention centres around the world, UN agencies and humanitarian NGOs lend their staff and services to states in the selection, processing, and management of refugees, migrants, and asylum seekers. In these instances, Agier (2011) argues that international humanitarian institutions are complicit in implementing the state’s

criminalisation and imprisonment of vulnerable populations. By accepting to work in these spaces of imprisonment, humanitarian organisations “humanise” the state’s control strategies (Agier, 2011, p. 49). The consequence of their actions is to reinforce a range of harms to detained people that arise from the hierarchical relations, violence, and abuse of power characteristic of spaces of imprisonment (Agier, 2011, p. 52). This clearly demonstrates the potential for humanitarian organisations to act as a force multiplier of imperial power (Lischer, 2007). For those that see humanitarian organisations as a creation of the state (such as UNHCR), and a constituent element of imperial state power, the view is that humanitarian organisations directly benefit the state (Chomsky, 2012; Hardt & Negri, 2001; Walker & Maxwell, 2009).

Adding to this, the expansion of humanitarian organisations has resulted in a large staffing and resource base that can be mobilised within days or even hours. These organisations are present around the globe and are equipped with knowledge, language, and access to local communities by nature of their ongoing or previous operations. They are primed for immediate deployment to crisis zones and can immediately assess and help stabilise the situation on the ground, helping states and corporations ‘prepare the terrain for the return of international industry and finance’ (Donini, 2010, p. 229). States benefit from humanitarian intelligence, logical and technical capacity, as well as its ability to win “hearts and minds” in the places of state intervention (Foley, 2008). Agier (2011, p. 200) captures the state-humanitarian relationship when he writes: ‘There is a hand that strikes and a hand that heals.’ States can also leverage humanitarian action when they are unwilling to intervene and prevent mass atrocities. Rieff (2008) maintains that Bosnia’s international humanitarian response was a classic example of Western states substituting the delivery of humanitarian aid for political involvement to stop the war. Their manipulation of humanitarian action, he contends, severely restricted humanitarian activities and pushed organisations into supporting strategies for refugee containment.

Critical scholars have placed significance on the ideological function of humanitarian organisations, especially in aiding dominant states to develop their right to breach international principles of state sovereignty (Chomsky, 2012). During the 1990s, several large humanitarian organisations headquartered in Britain and the U.S. advocated for international military

interventions to address serious humanitarian crises (Foley, 2008, p. 4). Together with states and human rights advocates, humanitarian organisations claimed that human rights principles justified the right of states to challenge the principle of state sovereignty when a particular state had failed to protect its people. These ideas have now been recognised as the responsibility to protect (R2P) doctrine. Critics nevertheless point out that in the current political and military context, challenges to state sovereignty will only ever come from powerful states to weaker ones (Chomsky, 2012; Chandler, 2001; Bricmont, 2007). As Noam Chomsky notes: ‘Nobody expects Bangladesh to interfere in the internal affairs of the United States in order to force it to reduce its CO₂ emissions, which threaten to drown large parts of that Asian country’ (2012, p. v). Examples of dominant states exerting their right to humanitarian intervention in Kosovo and Iraq show how such doctrines are easily manipulated to mask the harmful motivations of states (see Whyte, 2010).

These observations demonstrate the broader uses of humanitarian ideology by states to obscure and reframe their own criminality (Harvey, 2015; Chimni, 2000). As we shall see in Haiti, by funding humanitarian organisations to deliver relief, states can distract social audiences from their role in crimes, and as a result, claim moral superiority. States often employ humanitarian organisations to rescue the very people harmed by their (the state’s) criminal activities, rendering humanitarian organisations complicit in the legitimisation of their violence. Currently, there is no better example of this than the British government’s largely illicit arms trade with Saudi Arabia, which has helped created a humanitarian crisis for 21 million Yemenis.³⁴ Although the U.K. is complicit in Saudi Arabia’s bombing campaign in Yemen, through its sale of more than US\$6 billion in arms, the U.K.’s Department of International Development (DFID) routinely publishes self-congratulatory reports about its role as one of Yemen’s largest humanitarian donors.³⁵ Meanwhile, humanitarian organisations have taken funding from Saudi Arabia for relief operations and have allegedly agreed to provide good

³⁴ Amnesty International investigations conclude that the British government has broken many of its own laws in its sale of weapons to Saudi Arabia. See, for example, Amnesty International, “Exposed: British Made Bombs Used on Civilian Targets in Yemen,” 8 October 2018. Accessed on 2 January 2019. Retrieved from <https://www.amnesty.org.uk/exposed-british-made-bombs-used-civilian-targets-yemen>

³⁵ See DFID reporting. Accessed on 2 January 2019. Retrieved from https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/723344/DFID-Yemen-Profile-July-2018.pdf

publicity for the Saudi government in exchange for financial support.³⁶ Global south states responsible for human suffering have also learned to benefit and re-shape their public images through their adoption of humanitarian language and integration into humanitarian relief operations (de Waal, 1997).

Finally, powerful states benefit from humanitarian ideology in other ways. Some critical scholars maintain global humanitarian ideology sustains the global capitalist order in two main ways (Harvey, 2014; Chimni, 2000). First, humanitarianism is manipulated to incorporate new territories and spaces into the capitalist system (Harvey, 2014). Second, global humanitarianism offers states a minimalist way of responding to the harms caused by predatory capitalism (Harvey, 2014). The claim is that aid provides extra-economic, life-saving activity that can facilitate capitalist reproduction (Žižek, 2008). Harvey (2014) points out that the core contradiction in humanitarian ideology is by showing that life-saving relief has little value when the intention is to re-subordinate people's lives to the interests of states and capital. Often, as Harvey and others explain, capitalist solutions are mobilised as the solution to humanitarian crises (Chimni, 2000).

III.II. Humanitarianism as Global Governmentality.

Unconvinced that modern forms of institutionalised humanitarianism can be simply reduced to the interests of economically dominant states, some scholars have probed global humanitarianism as a constituent aspect of global liberal governance (see Duffield, 2001, 2008; Chandler, 2001; Agier, 2011, 2013; Fassin, 2012). This view still sees a connection between humanitarianism and imperial state power, but draws on Foucauldian concepts to flesh out the institutionalised nature of humanitarian power and its disempowering effects. Sometimes, the term “humanitarian government” is invoked to articulate the toxic blend of dominant knowledge and techniques of control that humanitarianism brings to the field (Walters, 2011; Agier, 2011). The harm caused by humanitarian organisations is therefore understood as a

³⁶ Winton, P. “Saudis demanded good publicity over Yemen aid, leaked UN document shows,” 30 October 2018. Accessed 2 January 2019. Retrieved from <https://www.theguardian.com/global-development/2018/oct/30/saudis-demanded-good-publicity-over-yemen-aid-leaked-un-document-shows>.

consequence of their bureaucratic and undemocratic modes of operation which diminish people's freedom and autonomy (see Friedrichs & Friedrichs, 2002, p. 26).

Critics thus claim that an increasingly bureaucratic form of humanitarianism is strategically leveraged by states – as a form of *liberal power* – to operationalize their securitisation agendas (Duffield, 2001). Moreover, they see humanitarian bureaucracies as integral to the operation of global governance, and therefore complicit in delivering states' integrated goals of security, pro-capitalist development, and population containment.

Central to this argument is the observation that a more intrusive humanitarian system has emerged over the last three decades in response to political and institutional trends associated with globalisation (Duffield, 2001; Chandler, 2001; Barnett, 2011; Chimni, 2001). This entails a basic understanding that predatory capitalist development, and its emphasis on neoliberal governance, has ignited state anxieties about deteriorating social conditions and the human toll of economic-political changes. Essentially, mass underdevelopment, reduced state capacity,³⁷ and precarious patterns of migration in the global south have raised fears about the looming insecurity of the *periphery* and its threats to the *metropole* (Duffield, 2001; Agier, 2011). Instead of seeing these unpalatable outcomes as the result of state-capitalist forms of criminality, dominant states blame local criminality, inferiority, and disorder as they seek to correct it (Duffield, 2001, 2008). As Duffield puts it, the threat of the “uninsured life” has prompted demands from hegemonic liberal governments for deeper social forms of social regulation and control. This does not imply that globalised capital has abandoned its main aim to exclude. Rather, as Duffield interjects: ‘the idea of underdevelopment as dangerous and destabilising [also] provides a justification for continued surveillance and engagement [of the global south].’ Economically dominant states are therefore impelled to both repressively police “states of exception” as well as identify and treat capital's destructive effects to ensure that risks to political-economic arrangements are minimised (Duffield, 2008, pp. 147–48; Agamben, 1998).

The intensified need for state security has fostered an expanded global architecture built on the twin goals of security and development. They have brought together governments,

³⁷ By “reduced state capacity” I am referring to an outcome produced by retrenchment of the welfare state under neoliberal transition. See Comaroff and Comaroff (2009).

militaries, private companies, humanitarian and development organisations, and multilateral institutions to implement state agendas. As a consequence, humanitarian organisations are more likely today than ever before, to work side-by-side with militaries, private corporations, and neoliberal multilateral institutions such as the World Bank (Duffield, 2001). These emerging relationships demonstrate how state securitisation goals are realised not only through population containment policies, but also through disciplinary-aid approaches that seek to correct the behaviours of deviant states and populations, and promote the latter's self-reliance on the market (Duffield, 2008).

State demands for deepening institutional interventions are also connected to the creation of liberal peace. This is what Duffield describes as the function of international institutions to diffuse local discontent with globalisation by expressing solidarity with excluded populations and aiding them to 'right their grievances in a peaceful way' (Duffield, 2001, p. 126). Bearing these dynamics in mind, humanitarian organisations have become more susceptible to unethical and criminal conduct because they have increasingly assumed state functions that 'restrict or manage the circulation of incomplete and hence potentially threatening life' (Duffield, 2008, p. 146).

The restructuring of the global humanitarian sector has also made humanitarian organisations more open to criminal complicity, because they have been encouraged to go beyond their original mandates and principles (Chandler, 2001; Donini, 2010; Duffield, 2001). It is argued by critical humanitarian scholars that institutional changes after the Cold War have prompted humanitarian organisations to venture into "unconventional spaces of government" in the state-sponsored, security-development nexus (Ong, 2006, p. 75). Notably during the ethnic conflicts of the 1980s and 1990s, the humanitarian sector began to publically advertise its commitments to human rights and ethical practice, which had a transformative influence on the sector and how it was appreciated by states (Chandler, 2001).

Several states, legal advocates, and humanitarian organisations have argued that humanitarian work should transcend principles of neutrality and adopt more politicized, rights-based agendas in crisis zones (Chandler, 2001). Humanitarian proponents of human rights claimed the sector had a higher moral purpose than saving lives and could also help protect and realise individual human rights (Chandler, 2001). More recently, humanitarianism's

rights-based rhetoric coupled with visceral media images of human suffering, have stimulated humanitarian organisations to expand the range of their activities to take on more development-oriented functions, including those of local governments who are seen to be failing (Chandler, 2001; Duffield, 2001).

Professionalisation³⁸ of the entire humanitarian sector has created a new appreciation for technocratic solutions and capacity building. Increasingly, states perceive humanitarian organisations as experts capable of global problem-solving (Weiss, 2013). While many of these institutional changes have been undertaken in good faith, they may have reshaped humanitarianism as a tool of international regulation. States have pushed humanitarians farther into ‘the networks and strategic complexes that make up liberal peace’ (Duffield, 2001, p. 88).

III.IIa. Bureaucratic humanitarianism and the potential for harm and crime

The role of humanitarian organisations in state security and development agendas has precipitated noticeable shifts in their governing styles and practices. In this section, I will unpack the extreme power imbalances that have materialised with the growth of the humanitarian system and its closer relationships with states, corporations, and multilateral institutions, including some of the harmful organisational behaviours that these political changes have incentivised. On the one hand, the demand for a more rights-based, professionalised humanitarian sector that can operate on a grand scale has resulted in more standardisation in humanitarian projects and policies. At the same time, the growing expectations of humanitarian organisations has put a massive strain on their abilities to deliver, arguably weakening adherence to international standards and codes of conduct (Barnett, 2001).

One result of the transformation of the humanitarian sector is the deployment of highly unrepresentative decision-making structures that are prone to dismiss local knowledge, roles, and values, despite the fact that humanitarian codes of conduct emphasise local participation and empowerment in aid decision-making (Collinson, 2016, p. 11; Slim, 2015). Within the more standardised global humanitarian sector, populations in flood-affected

³⁸ See Ferris (2011) on the platforms, forums, and committees designed to improve humanitarian performance and ethical behavior.

Philippines, for example, may easily become subject to the same range of humanitarian interventions developed for earthquake-affected populations in Pakistan.

That vulnerable populations have little power to reject or question humanitarian assistance or arrangements imposed on them – or even propose alternatives – becomes problematic when considering the hegemonic values and ideologies that shape humanitarian practices. Standardised humanitarian practices are clearly bound by capitalist ideologies and human rights norms and hierarchies, such as the protection of private property rights (Donini, 2010; Chandler & Reid, 2016). The bureaucratised humanitarian sector can be viewed as a major global force contributing to the transmission of criminal value systems, especially in helping the capitalist state neutralise value systems that are antithetical to its interests (Rothe & Mullins, 2009, p. 12). Prescribed international solutions for humanitarian problems are regularly depicted as responsible for de-politicising class conflicts, quashing social movements, and reinforcing socio-economic patterns that cause conflict or disaster-related harms (Donini, 2010). It has been argued that because the bureaucratised humanitarian system values expediency and efficiency, it is inclined to work through existing power dynamics and breach normative standards (Agier, 2011).

Modern institutional humanitarianism has sometimes been characterised as the ‘hunt for the undesirables’ (Agier, 2011, p. 148). The global humanitarian sector is described as obsessed with monitoring human movements and “datafying” populations that appear out of place (Broeders & Dijstelbloem, 2016). Over the last two decades, the U.S., Australia, and European states have provided significant funding to intergovernmental organisations and large NGOs to develop tools of population surveillance, including drone capabilities, biometrics, and networks of informants to provide regular information on the land and sea movements of vulnerable and unauthorised populations (Sandvik et. al., 2014). Agier (2011) contends that the newly created investigative powers of humanitarian organisations is part of what articulates humanitarianism as a function of state control. Little has stopped this information, which is ostensibly gathered to perfect the humanitarian delivery of protection and assistance, from reaching state systems of surveillance and border security (Duffield, 2016).

As humanitarian organisations have become more bureaucratised, they have become implicated in implementing state juridical orders that are entwined with capitalist interests (Agier, 2011). Humanitarian organisations play a functional role in preserving the territorial/wealth divide between states and legitimising rights-based hierarchies by accepting state legal categories, identifying populations according to them, and promoting distinctions in entitlements according to the state's construction and enforcement of its legal responsibilities (Chimni, 2000). In this manner, they have been accused of misusing their powers of categorisation to achieve organisational goals, such as reducing the number of populations that can claim humanitarian assistance (Zetter, 2007). This misuse of power pertains to the way that modern humanitarian relief involves their "adopting" of groups of beneficiaries and taking responsibility for them (Agier, 2011, p. 155).

Sometimes, states directly outsource their function in screening the claims of people for whom they have responsibility (e.g., refugees, asylum seekers, internally displaced persons, etc.), which some have viewed as the state distancing itself from its illegal activities (Barnett, 2001). Intergovernmental organisations, such as the UNHCR and IOM, are two intergovernmental institutions that regularly assume state functions in screening and rejecting population claims. As a result, they may be directly implicated in the withdrawal or denial of assistance and the violation of human rights of people whose claims for assistance and protection have been deemed unacceptable, unworthy, or illegitimate by the state (Agier, 2011).

Scholars asserting that humanitarian organisations are increasingly implicated in state containment strategies often base their analysis on the socio-spatial formation of the displacement camp. According to Agier (2011, p. 81), humanitarian-managed camps 'bring together [state-humanitarian] mechanisms of power, categorisation, filing, control and imprisonment.' While camps are spaces that have been created by humanitarian organisations to recognise victimhood and provide aid, they operate as spaces that sit outside normative arrangements. The claim is often that camp management roles have forced humanitarian organisations to simultaneously undertake functions of investigation, care, and policing of surplus populations. In that sense, camps embody Agamben's (1998) "state of exception" as zones, where the rule of law is suspended according to the will of the sovereign. Camps are

therefore fertile ground for human rights abuse and dehumanisation of victims, not least because populations are regularly treated with suspicion by humanitarian camp managers.

In *Managing the Undesirables*, Agier (2011) catalogues examples of harms observed in humanitarian-managed camps that fit definitions of humanitarian crime and state-humanitarian crime. These include: the deliberate withdrawal or strategic distribution of aid based on state/organisational self-interest, physical violence or facilitation of violence against populations demanding alternative forms of aid; the criminalisation/withdrawal of aid to so-called profiteers who in fact represent populations to whom the state has criminally denied assistance; enforcement of state policies that violate human rights (such as prohibiting neglected camp populations to build safer housing on occupied land in camp sites); and forced return, repatriation, and destruction of camps that provide important sources of protection for vulnerable people (2011, pp. 10–11). Of these, the forcible removal of displaced populations from camps is perhaps the most documented crimes of humanitarian organisations although it has not been treated as such.³⁹

There are a few final points to make about the emergence of a more bureaucratic humanitarian system. One relates to the powerful turn to law as the basis of humanitarian “truth.” A highly bureaucratic humanitarian system is also exceedingly legalistic, in ways that are neglectful of the relationship between law and violence.⁴⁰ While humanitarian obsession with the law certainly reflects its cultural biases, it also reveals its strategic uses in achieving bureaucratic outcomes (Gupta, 2015). Law offers a technical and neutral basis for humanitarians to formulate quick solutions without challenging the status quo (Mattei & Nadar, 2008; Comaroff & Comaroff, 2009). Consequently, the law may become a site of conflict between humanitarians and populations resisting the application of unjust laws.

Lastly, some note that humanitarian organisations may expose populations to abuse because of the way that camps are become “laboratories of neoliberalism” (Agier, 2011; Smirl,

³⁹ Academic literature has documented UNHCR and the IOM as common perpetrators of forced or coerced return and repatriation (see for example, Barnett, 2001; Crisp, 2018; Brachet, 2015; Koch, 2014).

⁴⁰ On the relationship between law and violence, see Walter Benjamin’s (1978) concepts of “law-making” and “law-preserving” violence, as well as Nicholas Blomley’s (2003) discussion of violence and the making of liberal property. Mattei and Nadar (2008) provide a thorough exposition of the way the law has been used to legitimise state plunder and uphold wealth disparities.

2015). As today's humanitarian sector seeks to assist populations, it may also expose them to harm because of the types of strategies, policies, or programmes it puts into motion. For example, the capacity building efforts of government officials to engage in camp management can be seen as an attempt to make local officials more responsive to population problems. Such attempts do not necessarily improve the relief or protection of victims, but rather expand the function of humanitarians to steer local states into correct behaviour and incorporate them into the global system (Duffield, 2001).

III.III. The creation of a humanitarian market.

Thus far, we have explored the criminogenic characteristics of humanitarian organisations in the roles they commonly perform on behalf of states. In this final section, I consider the organisational-level factors incentivising deviant behaviour. This approach is based on criminological understandings of organisational deviancy discussed earlier where 'criminal or deviant behaviour at the organisational-level results from a coincidence of pressure for goal attainment, availability and perceived attractiveness of illegitimate means, and an absence of effective social control' (Kramer et al. 2002, p. 273; see also Sutherland, 1983). How and why organisations, or clusters of organisations, abandon their mandated responsibilities, violate international norms and codes of conduct, and become complicit in state crimes may not always be driven by state interests. Deviant behaviours may reflect marketplace conditions in the humanitarian industry.⁴¹ But since states authorise, fund, and benefit from humanitarian activity, they play a large role in determining the rules of aid industry competition and their enforcement.⁴² States may therefore facilitate humanitarian crime by failing to regulate or punish deviant organisational behaviour (such as forced repatriations/returns) that they have colluded in or benefitted from (see Kramer et al., 2002, pp. 271–72).

⁴¹ By marketplace, I am referring not only to the 'dynamics of competition and exchange' that characterise humanitarian interactions, but also to the organisational behaviours, discourses and practices that are shaped by market dynamics.

⁴² This point speaks to the criminological distinction made between state-initiated crime and state-facilitated crime in the conceptualisation of state-corporate crime. According to Kramer et al. (2002, pp. 271–72), *state-initiated* corporate crime refers to states directing or approving organizational deviance. *State-facilitated* crime occurs when states fail to regulate and punish deviant behaviour by corporations either because they have colluded in that behaviour or benefit from it.

Despite the presence of an ever-growing, multi-billion-dollar humanitarian industry, little attention has been paid to the influence of competitive market dynamics on organisational acts and decision-making in the humanitarian sector (Barnett & Finnemore, 1999; Weiss, 2013). As a result, there is scant empirical data on supply-demand relationships, market distortions, monopolies, and the frequency of organisational misconduct that might shed light on the scale and motivations for humanitarian crime (Weiss, 2013).

It is a well-established fact that aid agencies compete with each other to win contracts and expand their organisations (Collinson, 2016). The uniqueness of their market competition is partially determined by the limited and time-bound nature of donor resources. It is also defined by an ever-growing number of market participants, who either pitch themselves as generalists or try to capture niche market areas (such as “shelter provider”). The field of humanitarian actors has become so crowded that the term “NGO republic” is used to ridicule an overpopulated landscape of self-interested aid actors (Katz, 2013).

A key consequence of the humanitarian market instability and intense competition is that the survival of aid agencies is always in question (Collinson, 2016, p. 21). This instability can promote pathological behaviours and interactions between organisations because of the way organisations must wrestle for limited funds (Barnett & Finnemore, 1999). Humanitarian organisations face significant pressure to demonstrate to donors that they have satisfied a number of key performance goals such as efficiency, effectiveness, and social transformation, all of which are difficult to achieve in crises contexts (Duffield, 2001; Barnett & Finnemore, 1999). Even when humanitarian organisations have been tasked to deliver these goals by foreign governments, they lack local authority and therefore run into significant obstacles in delivering their projects (Duffield, 2001). As Donini (2010, p. 221) puts it, the humanitarian field is one with unrealistic expectations.

Such insights hint at some of the motivations for engaging in unethical and criminal activity. Similar to corporations, humanitarian organisations may resort to illegitimate means when they perceive the absence of legitimate means to achieve their goals. They may, for example, take on morally questionable activities requested by donor states to obtain funding and sustain their operations. They may partner with problematic actors (i.e., states, gangs) who can guarantee access and allow them to conduct activities that are otherwise blocked – with

or without consideration of the long-term consequences (Collinson, 2016). Organisations may even be compelled to make decisions or provide goods and services that are far below international standards, but meet the market price set by their competitors or donors (Krause, 2014). In that respect, the value-for-money benchmarks set by neoliberal donor governments are a catalyst for cutting corners or implementing programmes with known defects (Collinson, 2016).

Perverse market rivalries may also encourage organisations to seek deviant routes to edge out their competitors. Market rivals may restrict the flow of information to secure their advantage, or refuse to cooperate with other organisations on issues for which there is no material or reputational benefit (Easterly, 2002, 2009). On the flip side, market competition might also encourage organisations to model their services or practices after others who have successfully secured resources, regardless of their harmful consequences or the ethical lines that have been crossed (Collinson, 2016). However, competition can lead to the consolidation of resources into larger humanitarian organisations to commodify their expertise and build powerful funding machines (Collinson, 2016, p. 22). William Easterly (2002) describes the current state of aid as a bureaucratic cartel, in which organisations have mutual enmity but agree to cooperate. As a result, aid beneficiaries are stuck and unable to exercise democratic choice over what is on offer.

Another aspect of aid dynamics is that large humanitarian organisations looking to grow, may offer services beyond their mandate, expertise, and capacity – which can put populations at further risk. Smirl (2015) notes that humanitarian experimentation has become a key aspect of the humanitarian encounter. In fact, experimentation without accountability is why people may end up in worse off after a humanitarian intervention. These factors, Barnett and Finnemore (1999) point out, destabilise the notion that humanitarian organisations make rational decisions that abide by international norms and goals. Instead, these decisions are part of a ‘competitive bargaining process over turf, budgets, and staff that may benefit parts of the organisation at the expense of overall goals’ (Barnett & Finnemore, 1999, p. 717). In summary, self-interested action and poor performance are standard outcomes of organisational competition that have a high likelihood of producing harm and human rights violations (Collinson, 2016, p. 21).

Krause (2015, p. 16) captures the nuances of humanitarian competition and potentials for abuse in her discussion of “the good project.” She argues that we should perceive humanitarian aid as part of global supply chains, in which donor governments act as clients seeking out good investments, and humanitarian organisations market products (or projects) to them (operating like a supplier).⁴³ Similar to any supply chain, donor clients have the power to award contracts to their preferred suppliers and evaluate projects according to their own aims and evidence. In the buying and selling of humanitarian projects, crisis victims take the form of commodities and are expected to take on certain identities (e.g., refugee) and participate in aid in acceptable ways (Krause, 2015; Sigona, 2014). Indeed, one longstanding complaint of international organisations is their willingness to commodify victim experiences in order to expand their share of the market (Andersson, 2014). The emphasis on implementing a good project has produced a situation whereby material interests and risk calculations take precedence over actual needs, humanitarian values, or principles (Krause, 2014). There is arguably also an incentive to suppress and omit information when a project demonstrates certain harm or defects (Krause, 2014).

The incentive to suppress and omit information is linked to the low level of control on humanitarian deviancy. As powerful agents with significant resources, humanitarian organisations can obscure or mark out the boundaries of their norm-breaking conduct (Easterly, 2002). Humanitarian organisations are not held accountable under international law and, similar to the corporate sector, it is difficult (if not impossible) for victims to bring a suit in domestic courts or establish extraterritorial jurisdiction to pursue claims against international organisations that have wronged them (Ferstman, 2017). This is because humanitarian organisations benefit from immunity privileges that are either enshrined in the international treaty establishing the organisation (such as UN organisations) or in agreements signed between an organisation and the state in which it operates (Parish, 2010, p. 282).

Regarding the lack of accountability, Collinson (2016, p. 17) suggests that the buyer-seller relationships between donors and humanitarian organisations can trap populations in “bush governorates,” which she describes as local spaces territorialised by humanitarian

⁴³ Humanitarian supply chains may involve several actors as large humanitarian agencies (typically the UN) subcontract to other international and local NGOs, and even to private businesses.

organisations with low levels of social control. In these spaces, organisations can coerce victims to consent to their activities, or rebuff other aid organisations who might have better services (Collinson, 2016). The highly subordinated and voiceless position of victims thus creates situations in which humanitarian organisations have few checks on their power may also sustain their willingness to engage in acts of deviancy.

IV. Conclusion: Alternative Ways of Thinking About Crime

This chapter has provided a framework for thinking about humanitarian and state-humanitarian crime. The criminal dimensions of global humanitarianism were considered and the ways that humanitarian organisations have been manipulated by states to achieve material and political interests, were described. The chapter has also mapped different aspects of humanitarian complicity in state crime, including helping states to legitimise their crimes through humanitarian discourses.

Attention was drawn to the institutionalisation of humanitarian power within the broader mechanisms of global governance. I examined how the bureaucratic practices of humanitarian organisations may result in harm to local communities, especially when such practices are embedded in state agendas for security and pro-capitalist development. The eagerness of humanitarian organisations to expand into new fields of global governance has heightened their potential for harm and crime. As key participants in global governance, they wield significant decision-making power and face pressure to achieve the goals set out for them by economically dominant states. Lastly, the competitive nature of humanitarian industries as a motivational factor for crime was discussed. Based on local conditions, humanitarian organisations may resort to norm-breaking and illegitimate means to outperform their competitors, or mask the consequences of their activities and policies to maintain their share of the market.

In researching state-humanitarian crimes, criminologists must exercise caution in oversimplifying the work of humanitarian organisations and their relationship to states. Some humanitarian action, as discussed, has resulted in life-saving outcomes and some organisations are more complicit with norms and principles than others. Yet, the growing body of literature on international humanitarianism signals that a more intrusive humanitarian system has indeed

emerged in the political-economic landscape. The evidence strongly suggests that it may be contributing to harm as a consequence of its undemocratic and state-driven mode of operation. These insights will be important to bear in mind when we consider state-humanitarian relationships, policies, and practices in Haiti.

Chapter Three

The Political Economy of Haiti's Housing Disaster

On January 12th, 2010, an earthquake registering 7.3 on the Richter scale hit Haiti's capital city of Port-au-Prince. Between 200,000 and 300,000 people were killed and 300,000 injured (Oliver-Smith, 2012 p. 20). Tragically, many of those who perished were buried alive under the rubble for days before they eventually died. Even today, the exact number of deaths is unknown because of poor government record-keeping and the politicization of the death toll⁴⁴ (Wilentz, 2013, pp. 181–84). Disgracefully, many of the dead could not be identified because they lacked state-certified birth certificates or national ID cards (Schuller & Morales, 2012, p. 96). After the earthquake, many nameless bodies were heaped one on top of another and dumped into mass graves at the edge of Port-au-Prince.

In thirty-five seconds, the earthquake destroyed 105,000 homes, the city's infrastructure, and entire neighbourhoods (Lundahl, 2011, p. xiii). In total, 208,000 homes were damaged (Lundahl, 2011, p. xiii). In addition, thirteen of fifteen federal ministry buildings collapsed, as did 80% of the schools in Port-au-Prince⁴⁵ (Oliver-Smith, 2012, p. 21). This astounding level of destruction was attributed to widespread corruption in the construction sector, deficient government regulation, and the hazardous concentration of urban populations in densely packed slums (Oliver-Smith, 2012, pp. 20–21). In the wake of the disaster, unprecedented levels of population displacement occurred as Haitians left collapsed homes and neighbourhoods, and took refuge on open land or in buildings that were still habitable. Some 600,000 people left the city to live with family in the countryside, putting an enormous strain on rural households and exacerbating their already high levels of food insecurity (Lundahl, 2011, p. xiii). Official displacement data suggests that over 1.5 million people were dislocated by the earthquake's destruction, prompting the emergence of 1,555 spontaneous settlements across Port-au-Prince and the surrounding area (IOM, 2010). When the reconstruction process began, earthquake-affected Haitians were facing unimaginable

⁴⁴ See the Guardian article "Haiti earthquake: Conflicting death tolls lead to confusion." Retrieved from <https://www.theguardian.com/world/2010/feb/11/haiti-earthquake-conflicting-death-tolls>

⁴⁵ See figures from the Disaster Emergency Committee. Retrieved from <https://www.dec.org.uk/articles/haiti-earthquake-facts-and-figures>

conditions of economic hardship and political disarray, as well as suffering from the mental and physical trauma of surviving one of worst human catastrophes in modern history.

This chapter paints a picture of state responsibility for the harms resulting from the January 2010 earthquake. Applying Green and Ward's (2004) definition of state crime, I identify the patterns of state and corporate organisational deviance that are important for establishing culpability for preventable deaths and injuries, huge economic losses, and mass displacement after the 2010 earthquake. These patterns show the relationship between earthquake harms and the cumulative effects of state power, local corruption, and corporate malfeasance. By highlighting the criminogenic features of Haiti's political-economic structure, as discussed in Chapter One, this chapter brings to the fore the human rights violations and vulnerabilities to natural hazards that are the direct and indirect product of deviant organisational behaviours of states and corporations.

The chapter also looks at the externalities of deviant state acts and corporate crimes. It details the creation of urban surplus populations through direct, state-led assaults on the land, housing, and livelihoods of rural populations. I will describe the precarious and nomadic experiences of displaced rural populations left jobless, politically abandoned, and socially and spatially excluded in Haiti's capital city. To explore the implications of these dynamics, and their meaning for reconstruction, the chapter ends by drawing attention to patterns of vulnerability, exclusion, and corruption in Port-au-Prince's housing sector immediately prior to the 2010 earthquake. The evidence presented on the city's pre-earthquake housing crisis constitutes an important reference point for assessing state-humanitarian organisational responsibilities and behaviours during the period of earthquake relief and reconstruction. Understanding how state-humanitarian actors knowingly act and make decisions to reproduce the factors of vulnerability that expose people to disaster harms is a way of re-interpreting their behaviours as deviant.

I. International Capital and the Making of Haiti's Housing Crisis

Haiti's international reputation is of a failed state. To outsiders, Haiti is mired in political instability, extreme poverty, organised crime (drug trafficking), and gang violence. This small country is a constant target of primitive and racialized media depictions (Dubois,

2012), and its capital city was once labelled the most dangerous place on earth by UN representatives (Schuller, 2016). Haitians are often viewed as responsible for their miserable conditions and are “othered” in international political discourse as backward, immoral, and corrupt – stereotypes that play off Haitian colonial history, their African ancestry, and the supernatural practices of voodoo (Wilentz, 1989). Some right-wing fanatics suggest that Haitian impoverishment constitutes a form of punishment for breaking with the white colonial order (Dubois, 2012). Few can forget the outrageous claim of U.S. evangelical Pat Robertson that the January 2010 earthquake was God’s punishment for the “pact with the devil” made when Haitian slaves violently overthrew their French colonial masters.⁴⁶ Such comments, when considered alongside Haiti’s long history of foreign oppression, show how international constructs of Haitian deviancy are often operationalised to obscure harms generated by imperialist state behaviours (Dubois, 2012).

Missing from these international narratives is a recognition of the cumulative and corrosive effects of foreign occupations and neoliberal policies on Haiti’s living standards and turbulent political life. The effects of European colonialism, U.S. occupation, and U.S.-imposed neoliberalism are discussed below. Each of these periods is marked by criminal state policies and the consolidation of criminogenic relationships between dominant states and local business and government elites. The cumulative effect on the Haitian population is endemic poverty, starvation, landlessness, over-urbanisation, and constant exposure to paramilitary and authoritarian state violence.

II. Colonial Accumulation and Crimes Against Humanity

The roots of foreign state deviance stretches back to the brutal policies of extractive colonialism. Haiti was first invaded by the Spanish, leading to the enslavement and later genocide of the native Taíno population. This was what Wilentz (2013, p. 92) calls the ‘initial and signature act of globalization’ on Haitian soil (see also Girard, 2010). In addition to diseases carried by Spanish colonialists, forced colonial labour was one of the main causes of death for the 500,000 Taínos living on the island, who were worked to death in gold extraction (Katz, 2013). The Spanish government’s initial act of land grabbing eventually paved the way

⁴⁶ See National Public Radio report, Pat Robertson Blames Haitian Devil Pact For Earthquake. Retrieved from https://www.npr.org/sections/thetwo-way/2010/01/pat_robertson_blames_haitian_d.html

for the French to overtake and rule Haiti, establishing the colony of Saint-Domingue (Wilentz, 2013).

Realising Haiti's potential for growing lucrative crops, such as sugarcane and coffee, France solved the island's labour shortage by paying European slave traders to import approximately 40,000 African slaves per year to the colony, eventually bringing 500,000 trafficked Africans to the island (Dubois, 2012). Labour trafficking and forced labour in Haiti generated significant wealth for European states. The cheap commodities produced by Saint-Domingue's slaves fuelled consumer markets and provided European states with important streams of taxable customs revenue (Blackburn, 2006). By the late 1770s, Saint-Domingue was supplying the European continent with over 60% of its coffee and 40% of its sugar.⁴⁷ For a considerable period of time in colonial history, Haiti was one of Europe's most profitable colonies and earned the nickname "the pearl of the Antilles" (Girard, 2010).

The wealth that Europeans accumulated from Haiti took an enormous toll on the slave population and the island's environment. In collaboration with the French state, colonial plantation owners committed egregious crimes in Saint-Domingue through their systematic rape, torture, mutilation, and murder of slave labourers (James, 2001). Historical accounts of the slave trade and system on the island show that most slaves died before they reached the age of 21 (James, 2001). The documented atrocities suggest that the French colony in Haiti was one of the most brutal in the entire Caribbean (Du Bois, 2012). Meanwhile, very little of the wealth, profits, or raw materials extracted from the island stayed on the island (James, 2001). Scholars trace the origins of Haiti's lack of economic development to the devastating social impacts, resource extraction, and environmental damage arising from French colonialism (Nunn, 2008a, 2008b; Engerman & Sokoloff, 2002).

Between 1791 and 1804, Haitian slaves rebelled against French soldiers and plantation owners, leading to the successful overthrow of colonial slavery (Sprague, 2012). The punitive international response that followed Haiti's independence (1804) reshaped the criminogenic relationship between colonial states and Haitians. For decades, Haiti was politically ostracised by not only France, but also the U.S. and other colonial powers. Throughout the 19th century,

⁴⁷ See the Guardian article, Haiti: a long descent to hell. Retrieved from <http://www.theguardian.com/world/2010/jan/14/haiti-history-earthquake-disaster>

colonial states pursued a range of policies, including economic sanctions and threats of force and occupation, to destabilise and weaken the autonomy of the rebellious colony (Sprague, 2012; Abbott, 2011).

Once Haiti emerged as independent in a world still dominated by slavery, it posed a significant existential threat to the maintenance of colonial power (Dubois, 2012, p. 5). Eventually, the painful economic measures and political isolation imposed on Haiti pressured Haiti's new political leadership to accept serious concessions in order to retain their independence. The Haitian government agreed to pay France an indemnity of US\$21 billion for lost property – including plantations, crops, *and slaves* – in exchange for peace and diplomatic recognition (Dubois, 2012). The irony of Haiti's settlement with France, which was meant to preserve Haitian independence, was that it 'turned the victor into the vanquished' (Wilentz 2013, p. 131). From 1825 until 1947 – a span of 122 years – France forced the island nation into crippling debt by requiring the Haitian people to purchase their freedom. Today, Haiti remains a prime example of how state-defined notions of private property rights have been used to protect perpetrators of serious crimes and rob victims of justice.

Academics, activists, and politicians from Haiti and around the world have repeatedly called on France to provide reparation for its criminal extortion of the Haitian people, which has arguably contributed to endemic poverty and political instability.⁴⁸ During the first century of Haitian independence, almost 80% of the Haitian government's budget was diverted to the repayment of an illegitimate and unjust debt, backed up by the threat of military invasion (Wilentz, 2015; Dubois, 2012, p. 204). This figure does not include the public money allocated to the development of Haitian military capabilities in response to the very real threat of outside state harassment, extortion, and invasion (Dubois, 2012). Even after its independence was recognised, various colonial states raided Haitian territory demanding ransom in exchange for leaving the island in peace (Sprague, 2012). Only 1% of the Haitian government's budget was annually allocated to public services for over a century, which has arguably contributed to the endemic poverty and political instability of the country (Dubois, 2012).

⁴⁸ See MacDonald, Isabel. France's Debt of Dishonour to Haiti. 16 August 2010. Retrieved from <https://www.theguardian.com/commentisfree/cifamerica/2010/aug/16/haiti-france>

III. U.S. Invasion and Extraction

From the 20th century onwards, U.S. governments have engaged in a continuum of criminal state practices to achieve its organisational goal of forcing Haiti into its territorial mode of production. Located just 700 miles from the Florida coast, Haiti was a target for growing U.S. capitalist imperialism in the Caribbean. Historians note that from the late 1800s to early 1990s American foreign policy toward Haiti was expressly designed to drive out European (especially French⁴⁹) influence over Haitian politics. The U.S. government convinced several banks, most notably National City Bank (now Citibank), to obtain a stake in Haiti's Banque Nationale and take control of its day-to-day operations (Trouillot, 1990). As the opportunities to accumulate surplus profits in Haiti became more apparent, National City Bank's leadership lobbied the U.S. government to occupy Haiti. This would secure exclusive privileges to Haiti for National City Bank that would allow it (and U.S. investors) to reorganise Haiti's finances, control valuable agricultural land, and exploit its cheap labour force (Wilentz, 2015). In *Bankers and Empire: How Wall Street Colonized the Caribbean*, Hudson (2017) explains that U.S. financial institutions were keen to invest large amounts of unproductive capital that they had accumulated through industrialisation and corporate consolidation.

The demands by U.S. banks precipitated a series of criminal acts perpetrated by the U.S. government as U.S. colonial expansion in the Caribbean worked to facilitate the internationalisation of U.S. capital. In one flagrant act of international bank robbery, U.S. marines were sent to Haiti's Banque Nationale in 1914 to remove US\$11 million in gold, on behalf of U.S. banks (Dubois, 2012). The U.S. attempted to neutralise its crime by claiming the action was required to repay Haitian loans owed to the banks (Dubois, 2012, p. 204). While this theft had an obvious impact on the struggling nation, it fell short of the bank's broader goal to control Haitian territory and finances. Therefore in 1915, the U.S. invaded Haiti and occupied the island for 19 years. The complicity between the U.S. state and the banks in the invasion was stunning. The banks were even involved in the military strategy and planning of the invasion (Hudson, 2017). The National City Bank then withheld funds for the payment of Haitian civil servants and worked to bankrupt Haiti by cancelling its loans without warning (Dubois, 2012). Once the island descended into financial and political chaos, the U.S. military

⁴⁹ At the time, France's Banque de l'Union Parisienne owned Haiti's national bank and advised the Haitian government on its debt financing and fiscal policies (Hudson, 2017).

seized upon the turmoil orchestrated by the banks and staged its rescue of the Haitian people and political system (Dubois, 2012, pp. 205–7).

As hoped, the U.S. intervention paid off handsomely (see Dubois, 2012, pp. 210–13). During the occupation, the Haitian government lost its decision-making power as the U.S. handed complete control over its financial system to U.S. banks (Hudson, 2017). This control was legally authorised by a convention signed by the Haitian government that declared the U.S. the defender of Haitian sovereignty (Dubois, 2012, p. 233). Once control was transferred to U.S. administrators and banks, U.S. corporations received exclusive contracts from the Haitian government to develop Haiti by enacting agricultural, railroad, and other infrastructure projects (Dubois, 2012). When the Haitian government could no longer afford to give large contracts to U.S. corporations, it began awarding them with extraordinary privileges and concessions, especially rights to agricultural land (Dubois, 2012). Some American investors, benefitting from a more accessible and stable business environment, restarted colonial sugar plantations after working with local authorities to displace Haitian peasants from their land plots.

The dynamics of dispossession by accumulation had an unprecedented effect on the economic security and livelihood of Haitian peasants who, as descendants of slaves, had never been granted legal rights to their land (see Chapter Six). An estimated 40,000 peasants were forcibly expelled from fertile agricultural land to make way for new rubber and sugar plantations bankrolled by U.S. capital (Steckley & Shamsie, 2015, p. 185). During the occupation, U.S. companies were not only complicit in forced displacements, but were also culpable of environmental destruction that continues to have an effect on rural livelihoods. Corporate pillaging under the American occupation had a considerable impact on rural land quality, and to this day, is blamed for seriously disrupting the island's ecosystem (Steckley & Shamsie, 2015, p. 185).

Amongst the many social impacts of these state-corporate crimes is that rural Haitians lost access to land, housing, and water, and to their livelihoods as subsistence farmers (Dubois, 2012, pp. 210, 269). Since most peasants had no choice but to sell their labour to American corporations, who now controlled their land, they were easily exploited. During the U.S. occupation, Haitian labour became the cheapest form of labour in the region (Dubois, 2012,

p. 268). The influx of predatory American capital also precipitated one of the first waves of forced economic migration from the countryside to Port-au-Prince. Thus, one of the significant outcomes of the U.S. occupation was the erosion of the major gains made by former slaves to obtain land in the post-independence period and establish a truly independent labour process (Trouillot, 1990, p. 39).

It is unsurprising that studies comparing Haiti before and after the U.S. occupation show that U.S. rule worsened economic conditions, even though the key political justification for U.S. occupation of Haiti was to rescue Haitians from misrule, economic mismanagement, and unemployment (Trouillot, 1990). In other colonial contexts, critical criminologists have found that criminal state practices are often employed to disrupt national and cultural independence and facilitate ongoing dispossession (see Atilés-Osoria, 2016). A core reason for the economic decline in Haiti is related to the way U.S. extraction policies centralised investment in Port-au-Prince, which in turn crushed its regional economies. U.S. economic policy virtually ruined regional markets and created a pull factor for jobs and economic opportunities in the capital that persists today (Trouillot, 1990). The U.S. economic policies also deliberately increased Haiti's trade deficit with other countries, and prioritised the repayment of Haiti's external debts with little regard for the costs to social welfare (Lundahl, 2011).

When the U.S. finally left Haiti in 1934, it had cemented Haiti's dependency on global markets by reducing its exports to one main commodity (coffee) (Trouillot, 1990). In addition, the U.S. had forced Haiti to import and pay tax on U.S. goods (Trouillot, 1990, p. 103). Still, the most egregious economic crime committed by U.S. administrators was kidnapping for forced labour. Thousands of Haitians were forced to perform unpaid work on military-run infrastructure projects, which Haitians viewed as one of the most profane violations of their hard-fought freedom and humanity (Dubois, 2012, pp. 239–41).

Politically, the U.S. occupation had devastating effects on state-society relations and democratic governance. Prior to the invasion, U.S. officials declared it would bring good governance to Haiti and engage in state building and the transmission of democratic values (Dubois, 2012). To the contrary, invading U.S. marines immediately imposed martial law and silenced Haitian dissidents with threats of imprisonment and death (Trouillot, 1990, p. 101).

No crimes committed by the occupying force, including rape, murder, physical assault, and torture were ever punished, despite numerous media reports and U.S. senate inquiries on the subject (Dubois, 2012, pp. 234–36, 239–41). Similar to the U.S.-led manipulation of Haiti's 2010 elections (see Chapter Four), the U.S. occupying force in the 1920s held sham elections to put their chosen leaders into office, who in turn, passed laws guaranteeing U.S. authority and power to appropriate the island's natural resources (Dubois, 2012). The occupation also stoked political tensions between Haiti's *noiriste* (black) and *mulâtre* (mulatto) political elites, which were later manipulated by authoritarian black power regimes (Trouillot, 1990).

More damaging, however, was the occupation's militarisation of the Haitian state. During the U.S. occupation, Haitian towns and communities were subject to surveillance and policing through the creation of a new Haitian military wing (the *Genarmerie*), which was trained and logistically assisted by U.S. marines (Dubois, 2012). Whereas Haiti's previous army had drawn soldiers from different class backgrounds and united them against foreign threats, the U.S. explicitly formed and trained the *Genarmerie* to fight against other Haitians (Trouillot, 1990, p. 106). A key function of the *Genarmerie* was to rebalance power in communities by suppressing peasants and strengthening the power of rural police. With the *Genarmerie*'s presence, local administrators could exercise their powers in the absence of popular consent (Dubois, 2012, pp. 105, 237). The establishment of the *Genarmerie* and its presence in local communities is what finally enabled Haiti's subsequent rulers to consolidate their power into a centralised state apparatus, without support from civil society. From that perspective, the U.S. is culpable for bequeathing the Haitian state with the means to oppress civil society and violently enforce undemocratic rule.

When the U.S. withdrew from Haiti, it had reconfigured Haiti's political system and built the structural conditions for ongoing accumulation and dispossession. On the legacy of U.S. occupation on Haiti's economy and political environment, historian Laurent Dubois writes:

Like the generation of 1804...the activists of the 1930s discovered that the legacy of foreign control was extremely difficult to escape. The U.S. occupation had profoundly changed the country, smashing the political and economic order that had emerged during the nineteenth century and deepening the poverty in the countryside. It had centralized and strengthened the government's

authority, giving the country's leaders more power than they had ever had to control the masses and suppress dissent. Many Haitians dreamed in 1934 that their country would finally be able to move forward toward a radically different future. Instead, they found that the years of subjugation were haunting them still. (2012, p. 267)

Although the U.S. government and banks had conspired to ruthlessly exploit Haiti, and successfully re-organised its political institutions and power bases to facilitate their organisational goals of accumulation, international denial of the social impact and enduring legacy of state-corporate criminality in Haiti remains (Dubois, 2012, p. 296; Hudson, 2017).

IV. Accelerated Dispossession and Neoliberal Transition

After the occupation, the U.S. relied on various tools of economic dominance and political repression that, until the threat of populist President Jean-Bertrand Aristide, did not require U.S. military presence in Haiti. Above all, U.S. dominance relied on cultivating criminogenic relationships with Haitian political elites to foster a permissive environment for the ongoing penetration of predatory capital (Sprague, 2012). In many respects, the period after the occupation was a continuation of occupation policies. It created an opportunity structure for predatory capital by deepening conditions of political instability, trade dependence, financial reliance, and labour precarity that gave U.S. businesses access to Haitian resources and its labour force. The social impact and human rights violations accompanying U.S.-imposed policies have been widely contested by Haitian civil society, which has been one way of attesting to their criminogenic quality (Wilentz, 2013; Hallward, 2007).

Understanding U.S. state behaviour during thirty years of Haitian dictatorship (post U.S. withdrawal) is an important element of this discussion. The U.S. colluded with the dictatorships of François “Papa Doc” Duvalier (1957-1971) and his son, Jean Claude “Baby Doc” Duvalier (1971-1986) to achieve its organisational goals, despite the brutal, corrupt, and tyrannical methods used by these regimes to maintain their political dominance. The U.S. not only maintained silence about known atrocities, but gave the Duvaliers weapons, military training, and monetary aid. Given that half the Haitian national budget came from U.S. aid during this time, the U.S. provided a lifeline to the Duvaliers to stay in power (Dubois, 2012, p. 335). In exchange, both Duvaliers facilitated the political and economic conditions

necessary for capital flows. Throughout the 1970s and 1980s, the Duvalier dictatorships reduced import tariffs, established free-trade zones, banned trade unions, and suppressed local wages (Lundahl, 2011, pp. 36–37, 93). This resulted in a significant rise in American corporate activity in Haiti. In less than a decade, the number of U.S. corporations operating in Haiti escalated from seven companies to three hundred (Hallward, 2010). By the end of Jean Claude Duvalier's administration, Haiti had become the ninth largest assembler of U.S. goods for retail and consumption (Steckley & Shamsie, 2015, p. 186). The profits amassed by U.S. industries during this timeframe were counterpoised by reports of serious labour abuses by the low-skilled labourers working in U.S. supply chains (Truillot, 1990, p. 209).

The state-facilitated flow of U.S. capital generated a major commercial disaster for Haiti. U.S. companies required Haiti to import the materials used in factory assembly lines, inflaming its trade deficit with the U.S. Furthermore, since the Haitian state neglected to tax the profits of U.S. manufacturers and their Haitian subsidiaries, very little revenue created by the manufacturing industry stayed in Haiti (Truillot, 1990, pp. 211–12). Truillot points out that opportunities for corruption within the manufacturing industry were such that state authorities completely abandoned development strategies for rural areas. Even the World Bank would eventually concede that Haiti's manufacturing industry failed to make any significant contribution to Haiti's economy, although it has continued to push factories and foreign-led industrial production as the core solution to Haitian poverty (Truillot, 1990, p. 213).

After the fall of the second Duvalier dictatorship (as a result of a popular uprising), the U.S. exploited much of the political instability and economic weakness that it had helped to create. U.S. foreign aid and debt refinancing were used to force Haiti to adopt a new raft of neoliberal economic policies that liberalised the economy and dismantled barriers to foreign investment (Wilentz, 1989). In her review of U.S. documents and development policy, journalist Amy Wilentz found that: 'The U.S. goal was to reduce self-sufficient farming, thereby causing peasants to migrate to Port-au-Prince, where they would provide a useful and very cheap labour force to work in American assembly factories.' Historical evidence suggests this strategy was already in motion during the second Duvalier dictatorship when the U.S. persuaded the Haitian state to slaughter one million native Creole pigs (Schuller, 2016, p. 30; Trouillot, 1990). The Creole pig incident, according to Schuller (2016), was a state-orchestrated

policy designed to inflict suffering, generate rural depopulation, and render Haiti dependent on the U.S. swine industry. The eradication of Creole pigs withdrew the financial resources that peasants relied upon for “October school fees, illnesses, weddings, baptisms, and deaths” (Abbott, 1988, p. 242). Peasant families lost over US\$500 million from the state destruction of the Creole pig population (Baptiste, 2012, p. 98).

The U.S. government’s slow war against rural livelihoods took other forms. When the Haitian government radically decreased tariffs on U.S. food exports, it paved the way for the U.S. to dump cheap and subsidised U.S. rice onto Haitian markets (Hallward, 2010). Poor farmers, already harmed by state neglect and the Creole pig incident, witnessed huge decreases in their rice production (Steckley & Shamsie, 2015). Although many subsistence farmers had managed to survive state corruption and neglect under the dictatorship, they were unable to withstand criminogenic tariff policies enforced by Haitian political elites (Trouillot, 1990). While former U.S. President Bill Clinton publically admitted to the disastrous impact of U.S. trade policies on Haitian rice production and food security, the U.S. continues to export its subsidised rice to Haiti (Schuller & Morales, 2012).

Over the past three decades, Haiti has become increasingly dependent on foreign aid and debt, resulting in a complete loss of economic and political sovereignty. By 2005, Haiti had dangerously assumed US\$1.3 billion in loans from foreign governments and multilateral institutions such as the IMF and World Bank (Buss & Gardner, 2007). Haiti’s external debt has kept it hooked in to the U.S. system of capital accumulation and vulnerable to foreign economic policy demands (see Harvey, 2003, pp. 118–19; Steckley & Shamsie, 2015, p. 187). Haiti has sold off most of its publically owned assets and industries, including transport, construction, education, energy, healthcare, agriculture, and banking sectors (Hallward, 2010). It has also adopted broad import-liberalisation policies that have minimised protections for small local businesses (Steckley & Shamsie, 2015). Such policies have shrunk critical revenue streams for the government, crippling its ability to respond to crises, provide employment, or improve social services (Hallward, 2010, p. 14).

As previously discussed, the U.S. has achieved its goals through its collusive relationships with predatory state actors. However, there have been times in the recent past when the U.S. has intervened both politically and militarily to quash anti-establishment parties

and their agendas that threaten to disrupt capital flows. The U.S. response to the pro-democracy movement led by Jean Bertrand Aristide and his pro-poor party *Lavalas* (meaning “the flood”) is the best illustration of this (Dubois, 2012, p. 362). As a minister, Aristide antagonised the United States and Haiti’s political elites with his sermons condemning U.S. foreign policy and its relationship to local state corruption, often encouraging Haitians to grab back land that rightfully belonged to them (Wilentz, 1989, p. 122). Aristide’s social justice agenda made him immensely popular in the latter part of the 20th century, especially amongst uprooted peasants living in urban areas (Wilentz, 1989, p. 134). His revolutionary vision drew political confrontation (Fatton, 2002, p. 80; Sprague, 2012, p. 295). Although Aristide won elections by a landslide in 1990 and 2000, he was ousted from his presidency both times (the first time by a military coup d’état, and the second time by coup led by paramilitary groups backed by the Haitian elite). Leaked documents and investigative journalism have made clear that the U.S. government, through the provision of direct and indirect support to paramilitaries, share responsibility for the second coup d’état that overthrew Aristide in 2004, which resulted in handing the government back to political elites willing to implement U.S. economic policy (Sprague, 2012, pp. 230–32).

V. The Weak and Violent Nature of the Haitian State

Foreign interests in Haiti have both fostered and benefitted from a corrupt Haitian state. Political scientists have traditionally classified the Haitian state as a kleptocracy – a ‘despotic structure of power that preys on its citizens without giving much in return’ (Fatton, 2002, p. 27). Since achieving independence in 1804, the state apparatus has been dominated by small groups of robber-barons who have competed for the state’s exclusive privileges and opportunities for power and wealth. The Haitian state is also appropriately classified as a weak state, in accordance with Ward’s observation (2004, p. 92) as to why certain states are more prone to harming their populations. As we shall see, the profiteering motives of political elites has led to extreme political instability in Haiti, characterised by the overthrow of 45 leaders and the institution of 23 constitutions in its short history. The class alliance forged between tiny groups of political elites and merchant bourgeoisie is extremely unstable because the interests pursued through this alliance are disconnected from the needs and interests of the majority, made up of the peasant class and urban poor. As Ward notes, the state’s fragile power

and lack of popular legitimacy causes it to seek out short-term solutions by means of violence and patronage networks. In Haiti's case, the state has sought backing from the U.S. government and foreign commercial interests to sustain its position. These conditions have allowed the state to withdraw from its responsibilities to protect its population and brutally oppress opposition to its power.

VI. Regressive Independence and the Origins of State Predation

The predatory features of the Haitian state apparatus can be traced back to the early post-independence period. After overthrowing the French, Haiti's new class of political elites were expected to remedy the suffering of former slaves and build a more equitable social system. Instead, Haiti's new rulers used the administrative apparatus left by the French to refuse land rights to former slaves and restart plantation-style agriculture (Dubois, 2012). Historical records show that the early state policy of *caporalisme agraire* (militarised agriculture) was driven by outside threats to Haitian sovereignty. With most of the colonial powers refusing to recognise Haitian independence, these new state officials appealed to nationalist sentiments to justify extending plantation labour and land relations (Trouillot, 1990). The political argument was that Haiti required quick accumulation to defend itself against its foreign (white) enemies and achieve its state-building goals (Wilentz, 2013, p. 89).

While foreign threats may have been used to justify the ongoing criminal exploitation of Haitian labourers, scholars reveal how Haiti's new political elites were eager to reap the benefits of the economic system left by the French. Lundhal (2011, p. 6) explains that Haiti's political elites were motivated to maintain a system of uneven class relations to (a) protect the status and property of the mulatto population still living on the island who shared many of the benefits and rights of French colonials and (b) augment the political power of a new group of military generals and soldiers who had successfully defeated the French. The plantation system offered a method for consolidating and organising political power around the control and distribution of land (Dubois, 2012). In essence, productive plantation land gave Haiti's new ruling elites an opportunity to build networks of patronage and placate their political opponents (Etienne, 2012). These political and economic incentives persuaded the new Haitian rulers to withhold land from former slaves and re-victimise the same people who had

been liberated by the slave rebellion. These decisions prompt historians to conclude that ‘the Haitian state and the Haitian nation were launched in different directions’ after colonial slavery (Trouillot, 1990, p. 40).

Since independence, Haiti’s elites have contributed to household poverty through taxation and extortion. Though the state has provided little in terms of social welfare, it has heavily taxed the agricultural surpluses of Haitian peasants. Corrupt state officials allowed unscrupulous merchants and middlemen to pass their share of taxes on agricultural exports back onto destitute farmers (Trouillot, 1990, pp. 62–64). Unjust taxation has played a significant role in deepening local poverty and stagnating agricultural production (Lundahl, 2002). Trouillot (1990, p. 64) reasons that piecemeal attempts at land reform and distribution in the early 19th century was lucrative for state officials because it opened up opportunities to tax and obtain graft from peasants’ surplus commodities. He argues that illicit and unjust taxation of the peasantry is what enabled state kleptocrats to enjoy extravagant lifestyles, while meeting their obligations to repay foreign debts.

Volatile political competition and local resistance to dominant land relations are two forces that have mediated the distribution and pattern of land control in Haiti’s rural and urban areas. For the most part, land remains untitled and its governance falls outside the formal private property regime. This means that there is little certainty and security to land ownership, and that due process rights are difficult to enforce when one’s landholdings are challenged (Kushner, 2015). On top of this, few land sales are officially recorded by the state. Because land control has been linked to political patronage, land has constantly shifted in ownership between different factions of elites at different times (Etienne, 2012). In some instances, the government has augmented land control through the passage of laws that allow the state to assert rights of eminent domain (Kushner, 2015). Haitian peasants have mainly acquired their land plots through precarious forms of land occupation and tenure (discussed in Chapter Six). However, the more that local elites were drawn into the global economy, the more rural peasants were dispossessed of their land through violent expulsions or legal expropriation by the state (Etienne, 2012, p. 16). In short, Haiti’s complicated land history has produced extreme confusion over who owns what – matters that have often been settled informally amongst elites or through violence (Kushner, 2015).

VII. Legacies of Dictatorship: Political Violence and Corruption

Desperate conditions in Haiti worsened over thirty years of Duvalier dictatorship, which has been described as ‘the worst plunder in the history of Haiti’ (Lundahl, 2011, p. 1). Apart from their facilitation of predatory capital flows, both dictators engaged in hyper levels of corruption, even by Haitian standards. Under François Duvalier, ‘corruption became the very foundation of the administrative machine, its only *raison d’être*’ (Trouillot, 1990, p. 176). From the allocation of government posts to the distribution of state projects, corruption served the broader organisational goal of mobilising a reliable power base across the country (Abbott, 1988). State officials were implicitly encouraged to engage in corrupt practices as a reward for their loyalty to the dictatorships and whatever power and influence they had managed to bring to support it (Trouillot, 1990; see also Green & Ward, 2004, p. 21). Widespread rent-seeking, in turn, led to half-implemented development projects and poorly constructed infrastructure and services. Trouillot notes that the political clientelism that flourished under both dictatorships had the effect of undermining community structures, in addition to widening the gulf between the minority rich and majority poor.

Both Duvaliers stole astonishing amounts of public money for their personal gain. Jean Claude Duvalier is believed to have embezzled US\$504 million from the public treasury over the duration of his rule.⁵⁰ This second Duvalier even stole millions of dollars from IMF loans being provided for the country’s development, directing this money into his personal bank accounts.⁵¹ These acts occurred while illicit sums of money were being extorted from the rural and urban masses. To give an example, the second Duvalier government charged fees to *both* the Dominican government and Haitian migrants for allowing economically deprived Haitians to work on Dominican plantations (Dubois, 2012). These fees were then diverted into the hidden accounts of the Duvaliers and their patrons (Dubois, 2012, p. 347). State corruption under both Duvalier regimes left Haiti poorer, more indebted, and more vulnerable to the interests of foreign capital.

The hyper criminality of the Duvaliers has been replicated by successive Haitian

⁵⁰ See the Public Broadcasting Service (PBS), Haiti the Long Road to Recovery. Retrieved from <http://www.pbs.org/frontlineworld/stories/bribe/2009/05/haiti-the-long-road-to-recovery.html>

⁵¹ See the Public Broadcasting Service (PBS), Haiti the Long Road to Recovery. Retrieved from <http://www.pbs.org/frontlineworld/stories/bribe/2009/05/haiti-the-long-road-to-recovery.html>

governments who, like their predecessors, have extracted their income from peasant exploitation and from illicit activities surrounding new capital flows (Fatton, 2002, p. 27). The state has also become more motivated to enforce the property rights of the political elite and bourgeoisie. Accompanying this is the tendency of elites or those with political connections to forge official documents to corroborate their claims of land ownership (Etienne, 2012). Successive government have also inherited the paramilitary structures created by the dictatorships with U.S. funding. Current Haitian governments are able to mobilise well-trained paramilitaries and police to suppress popular dissent that threatens to undermine state power or foreign capital interests (Lundahl, 2011, p. 163; Fatton, 2002, p. 32).

VIII. Creating a Violent Urban Order

There is little doubt that the criminal acts and decisions of the Haitian state and foreign state actors have taken a toll on Haitian human rights. The UN Human Development Index has repeatedly placed Haiti at the bottom of its ranking, and today it is rated 163 of 188 of the least developed countries.⁵² Global indices also mark Haiti as one of most corrupt and least equal countries in the world.⁵³ An estimated 1% of Haiti's population controls 50% of the nation's wealth, while the bottom 20% share only 2% of Haiti's national income (Bailey, 2014). As these figures suggest, the vast majority of the population live in poverty on two dollars a day, critically lacking access to housing, land, water, electricity, and jobs (Buss & Gardner, 2007). Some estimate Haiti's unemployment rate could be as high as 70% of the total population (Buss & Gardner, 2007). Meanwhile, huge numbers of Haitians have migrated from the country in response to attacks on their land and livelihoods. While some have managed to migrate abroad legally, and have improved their economic standing, others have fled the country under dangerous conditions and worked abroad as precarious migrant labourers (Abbott, 1988; Amnesty, 2016). There are thousands of undocumented Haitians labourers in the Dominican Republic's sugar cane industry who have been denied Dominican citizenship and are routinely subjected to labour abuse, police brutality, criminalisation, and arbitrary deportation (Amnesty, 2016).

⁵² See the United Nations Development Programme 2016 Human Development report. Retrieved from http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/HTI.pdf

⁵³ See Transparency International. Retrieved from <https://www.transparency.org/country/HTI>

Since the introduction of neoliberal policies, Haiti has lost more than 800,000 jobs (Schuller, 2016, p. 29). Local wages have risen slightly over the past two decades, but they have been considerably outpaced by inflation (Schuller, 2016, p. 32). Haitians feel the daily effects of mass privatisation and reduced social spending. Basic goods and services are now barely affordable, including food, education, housing, and healthcare (Schuller, 2016, pp. 32–33). Although the majority of the rural inhabitants technically own their land, their land parcels have shrunk considerably over time, the result of elite land grabbing and population growth (Lundahl, 2011). Peasants have also witnessed the declining quality and productivity of their land in the absence of state intervention, especially in preventing land overuse, deforestation, and soil erosion. Today, foreign accumulation and climate change are pushing rural areas to the brink of an ecological disaster (Steckley & Shamsie, 2015).

Historical processes of predatory accumulation, with their effects on uneven development⁵⁴ and mass proletarianisation, have laid the groundwork for a housing crisis in Port-au-Prince. Whereas other countries have experienced more diverse, regional patterns of urbanisation, the mechanics of rural decline and dispossession in Haiti have pushed people to its only economic centre: Port-au-Prince (Tobin, 2013). Mike Davis reminds us that over-urbanisation ‘is driven by the reproduction of poverty, not by the supply of jobs’ (2006, p. 16). This is a fitting description of Port-au-Prince, where the population grew from 15,000 in 1950 to 720,000 residents in 1980 in reaction to state policies designed to open Haiti to international investment (Steckley & Shamsie, 2015, p. 186). When the 2010 earthquake struck, Port-au-Prince’s population had reached three million people, representing almost a third of Haiti’s total population (Gros, 2011). This is astounding, considering that only fifty years earlier the city had only 5% of Haiti’s total population (Vigdor, 2010).

The 2010 earthquake barely slowed the over-urbanisation trend in Haiti. Even today, the city continues to receive between 12,000 to 15,000 farmers, students, and other internal migrants monthly (Schuller, 2016, p. 30). This means that Port-au-Prince grows by 180,000 residents each year. Research, including my own, has thoroughly evidenced that over-

⁵⁴ By uneven development, I refer to the concept elaborated by Neil Smith (1984, p. 6), in which he describes uneven development as ‘the geographical expression of the more fundamental contradiction between use-value and exchange value.’ The concept accounts for geographic differences according to the way that capital moves and transforms space and the built environment as it pursues the creation of surplus value.

urbanisation is synonymous with forced migration. Rural peasants do not want to live in the city but are compelled to migrate due to the lack of employment and food insecurity (Leader, 2013).

The sizeable growth of Port-au-Prince's urban population has strained city resources and exacerbated the vulnerability of people forced to live in the city. Port-au-Prince was built to accommodate a maximum of 250,000 people (Katz, 2013). Bordered by mountains and coastline, most of the land surrounding the city is prone to natural hazards and unsuitable for expansion. Considering this and other risks associated with overpopulation, Port-au-Prince has long required state intervention to guarantee decent housing, jobs, infrastructure, and other basic services such as water, sanitation, schools, and healthcare. Yet, running parallel to urban growth was tremendous political instability, entrenched state corruption, foreign interventionism, and most importantly, foreign pressure to minimise spending on social welfare (Schuller, 2016). This has translated into widespread neglect of many of the issues arising from rapid urbanisation, especially housing.

Despite clear warning signs of urban overpopulation and anarchic construction, the Haitian government did not create a housing department or urban housing policy prior to the earthquake (Katz, 2013). Since many families lacked the means to construct homes, many neighbourhoods were constructed haphazardly and were teetering on the edge of collapse before the earthquake (Wilentz, 2013, p. 70). The government did not regulate or inspect new houses erected in response to mass rural-urban migration. This meant that most new houses were not constructed to code and lacked the necessary seismic retrofitting to protect people in the event of an earthquake (UN-Habitat, 2009, p. 3; Wilentz, 2013). Corrupt and neglectful political administrations also paid little attention to urban planning, evidenced by the absence of coordination between government departments that shared responsibility for land administration and the delivery of social services (Katz, 2013). House construction, especially in the outskirts of the city, resembled the "wild west," meaning houses were built on whatever land was available. The demand for housing coupled with the lack of government regulation provided fertile ground for rogues and speculators to get into the unregulated housing market and provide unsafe housing for precarious newcomers (Wilentz, 2013, p. 71).

The government's lack of response to over-urbanisation and housing needs were the roots of a housing crisis that made the earthquake's high levels of death, destruction, and displacement inevitable. Contextualising this statement requires picking apart different dimensions of the pre-earthquake housing crisis. Like any other city, population growth affected the value of land and housing affordability. Although there is no reliable historical data on the cost of land and housing, there are isolated research studies that suggest that mass forced migration had already quadrupled the price of rental homes in the late 1980s and 1990s (Trouillot, 1990, p. 214; Fass, 1987). One can only assume this trend kept pace with the accelerated rates of urban growth that occurred in the late twentieth century onwards. The challenge of urban residents to afford rental accommodation has always been influenced by their lack of employment and the rising costs of urban services, especially as many services (such as water) have been privatised (Schuller, 2016).

Put simply, the housing crisis was due to the housing demand outstripping the supply, despite the mass construction taking place throughout the city. Discussed in the next chapter, Port-au-Prince's housing shortage was believed to be 300,000 homes when the earthquake hit (Levine et. al., 2012). The housing crisis was exacerbated by the concentration and unfair distribution of urban land, especially habitable land. Since most urban land is either legally owned or controlled by the state and minority bourgeoisie, most of the city's newcomers lacked adequate living space (Hallward, 2007). Before the earthquake, 80% of the urban population had been living on 20% of the city's land (Steckley & Shamsie, 2015).

This has turned Port-au-Prince into an apartheid city (Hallward, 2007). The ambivalent bourgeoisie have increasingly segregated themselves at the top of the crumbling city. Unlike the peri-urban areas attracting internal migrants, affluent neighbourhoods benefit from economic activities, lush vegetation and open parks, and the stable provision of electricity and other key services (Katz, 2013). The spatially divided city is also distinguished by different levels of population density and exposure to natural hazards. Whereas high income residential areas have a density of 25,000 people per square kilometre, low-income areas marked by slum residences are four times as dense (Joseph, 2012, p. 22). People living in high-density areas are arguably more prone to death and injury during disasters due to the pressure that population density places on the natural environment.

The Port-au-Prince housing crisis was marked by the lack of affordable housing for people without access to reliable income. While some of the dispossessed poor managed to secure homes in established urban neighbourhoods, which is the goal of many families when they move to Port-au-Prince, most people were forced to rely on slums and informal settlements to meet their need for affordable housing. Prior to the earthquake, 64% of the urban population (approximately 471,000 people) lived in areas classified as slums (Joseph, 2012, p. 71). Most of these slums (which still exist) are clustered on low-cost land with high environmental risk, such as steep hilltops, ravines, and floodplains (Joseph, 2012). Within them, the housing was poorly constructed, and there were problems with water pollution, gang crime, and other issues associated with social upheaval and the lack of law enforcement and social services (Wilentz, 2013). In summary, a long history of foreign and local state domination created a housing crisis prior to the earthquake. This housing crisis was characterised by large numbers of dispossessed peasants being pushed out of rural areas into the city, where they faced dangerous building conditions and human rights abuses within the housing market.

IX. Conclusion

Reflecting on the social toll of the 2010 earthquake, journalist Amy Wilentz attributes the high levels of death and destruction to Haiti's history as 'one of the most thoroughly globalised economies in the world...in the grossest way' (2013, p. 131). As this chapter has shown, foreign states, primarily the U.S., have invoked a range of means to transform Haiti into a space for capital accumulation. This includes creating and exploiting political instability; bankrolling despotic leaders; and manipulating its debt to foster long-term dependency on foreign aid and capital flows (Hallward, 2007). Meanwhile, opening up Haiti to foreign penetration has all but destroyed the rural economy (Wilentz, 2013, p. 132). Today, Haiti is unable to meet its own food needs, which is a dramatic change from only thirty years ago when the countryside was populated by self-sufficient farmers. Meanwhile, Haiti's corrupt leaders have managed to profit considerably and strengthen their control over the means of violence.

In highlighting the criminal acts and omissions of states, this chapter has sought to historicise Haiti's housing crisis. The patterns of displacement and destruction caused by the

2010 earthquake are not solely attributable to a natural phenomenon. Rather, Haiti's urban population was vulnerable to the effects of the earthquake as a result of their prior victimisation, related to processes of proletarianisation and unplanned urbanisation. This chapter has made this point by discussing the mechanics of Haiti's criminogenic political economy and the sequence of harms and human rights violations that arose from state policies and violence.

It is evident that Haiti's post-earthquake reconstruction process needed to address the harmful political-economic structures and policies in order to claim success, especially if the Haitian state and international community desired to ensure that such horrific levels of human suffering were never repeated. To accomplish this, the state and international community would need to grapple with previous patterns of foreign and local state criminality and its bearing on social power and well-being, especially in relation to access to land and housing. However, as we shall see in subsequent chapters, prior patterns of state criminality have been wilfully ignored by domestic and international reconstruction policy-makers.

Chapter Four

Restoring Haiti's Violent Urban Order

Even though there are now no pickings left, we continue to swim this strange sea of empathy with vultures flying right above the water.

—Rose-May Guignard, Haitian Urban Planner, on the international humanitarian response to Haiti's 2010 earthquake⁵⁵

The previous chapter described the political economy that allowed serious harms and acts of violence to be perpetrated by states and corporations against the majority of the Haitian population. The repeated cycles of criminal state policies made Port-au-Prince a repository for dispossessed rural populations whose livelihoods had been destroyed by transnational capital and the opportunity structures it created for political corruption and state violence. As Haiti's small kleptocratic elite wilfully ignored patterns of social breakdown and mass rural-urban migration, the people transitioning to the capital city encountered dangerous living conditions and differential access to material resources. Urban newcomers struggled to secure jobs, physical security, and safe and affordable housing, the latter of which reflected extreme inequalities in the distribution of land between Haiti's political-business elite and the spatially concentrated urban masses. This violent urban order of Port-au-Prince, built on class domination and state neglect, made the lower urban classes extremely vulnerable to hazardous natural events.

The aim of this chapter is to explore the role of humanitarian organisations in perpetuating an urban order that distributed power and resources unequally, thereby exposing the majority of Port-au-Prince's poor to serious harms and human rights violations. To explain how this occurred, the chapter first outlines state goals for post-disaster accumulation and the strategies employed to achieve them during reconstruction, following Chapter One's discussion of how states foster market conditions and develop legal rules and infrastructure to promote short- and long-term value extraction. The chapter illustrates how recycled neoliberal policies came into being under the backing of states and powerful institutions, and were

⁵⁵ Rose-May Guignard, Post-earthquake Haiti: A Pentagon, Overseas Development Institute Humanitarian Practice Network, 14 January 2015. Retrieved from <https://odihpn.org/blog/post-earthquake-haiti-a-pentagon/>

legitimised by an international discourse of Build Back Better. After reviewing state goals for accumulation, which did nothing to reduce population vulnerability to future hazards or address critical housing needs and rights violations, the chapter juxtaposes state goals with the social realities of disaster-affected Haitians. I will illustrate how pre-earthquake housing insecurities combined with post-earthquake population displacement to disrupt the urban land control of Haiti's kleptocratic state, business classes, and landed elite. Ultimately, the population dynamics created by the earthquake posed a threat to the landed economy underpinning the urban order. While new claims-making processes on parcels of (primarily) unused land are explored in Chapter Six, this chapter sets up my analysis of humanitarian harm production with an overview of the social conflicts that emerged between disaster victims and dominant classes during the reconstruction period.

Against this social background, the remainder of the chapter is devoted to problematizing the structures, actions, and policies that emerged under the umbrella of humanitarian disaster relief, which despite the label "humanitarian," promised to go beyond traditional relief activities and produce specific social outcomes. After the earthquake and on behalf of donor states and the Haitian government, international humanitarian organisations assumed key tasks in aid delivery, housing decision-making, and managing the movements and settlement options of homeless urban populations (who they classified as "internally displaced"). This chapter emphasises that the dominance of some humanitarian organisations, who were entrusted to develop housing solutions, was not an inevitable consequence of the aid intervention. Rather, the chapter depicts a successful humanitarian sector able to sell their authoritative position and scientific methods to donors, who in turn focused aid resources on organisations who could provide rapid fixes to earthquake problems. This marketplace dynamic heightened donor and media pressure on organisations promising to bring a rapid end to intractable problems of homelessness and displacement.

However, once humanitarian organisations secured their share of the marketplace, their normative and ethical positions were challenged by class struggles and violent encounters over land and housing. These realities shaped the adoption of ostensibly "neutral" legal and technocratic approaches to complex political-economic issues. Time and again, highly risk-averse and reputation-focused organisations failed to deliver housing projects in line with

international standards and codes of conduct. In various ways, the organisational desire to efficiently administer and quickly resolve endemic housing problems reinforced the power of dominant social groups and differential access between different sectors of the population. In analysing these social impacts, I argue that humanitarians were not only complicit in delivering donor and local state pressures for quick, inexpensive solutions to housing problems and land disputes, but their actions reflected organisational demands to limit accountability and demonstrate market value to donors. In doing so, I also consider the influence of international discourses and logics of practice on organisational thinking and the legitimization of governing techniques that are inherently controlling and undemocratic.

I suggest that humanitarian organisations in Haiti played a criminogenic role via their suppression and de-politicization of local land demands, and by developing methods of population control that, as the next chapter will show, took a sharp turn toward more coercive and violent approaches, leading to mass evictions of subversive populations reluctant or unwilling to leave land occupied after the earthquake. This chapter thus empirically describes the state-humanitarian relationship in situations of disaster reconstruction, illustrating the value of humanitarian bureaucratic power to states in administering specific outcomes that are necessary for advancing state strategies of accumulation.

I. State Organisational Goals for Earthquake Reconstruction

This section describes the political-economic context of the international humanitarian response in Haiti as a way of understanding the synthesis between state goals and humanitarian actions. It outlines some of the main ways that states sought to reap huge returns from Haiti's reconstruction process, at the expense of remedying harms and addressing entrenched patterns of urban vulnerability. In detailing these processes, the section highlights the collusive relationships between the U.S., European governments, foreign corporations, and the Haitian state to enable rapid and long-term forms of accumulation. These motivations offer context to the various ways that humanitarian action indirectly contributed to state and corporate goals to engineer Haiti's increased reliance on global markets.

Shortly after the January 12 earthquake, the United States and other foreign governments barely contained their intention to exploit the reconstruction process to advance

their own state and corporate goals. Before all the bodies had been pulled from the rubble, Haiti's U.S. Ambassador had already written to the U.S. State Department to broadcast the opportunities for U.S. capital. His leaked email titled "The Gold Rush is On!"⁵⁶ depicts corporate competitive to take advantage of Haiti's unprecedented human catastrophe – irrespective of community plans or desires:

As Haiti digs out from the earthquake, different [U.S.] companies are moving in to sell their concepts, products and services. President Preval met with Gen Wesley Clark Saturday and received a sales presentation on a hurricane/earthquake resistant foam core house designed for low- income residents. AshBritt has been talking to various institutions about a national plan for rebuilding all government buildings. Other companies are proposing their housing solutions or their land use planning ideas, or other construction concepts. Each is vying for the ear of President in a veritable free-for-all.⁵⁷

The U.S. became the main donor for Haiti's reconstruction. Similar to other major disasters, large U.S. corporations successfully leveraged their political relationships to redirect enormous chunks of international aid promised for re-housing Haitians (Schuller & Morales, 2012, pp. 75–76). Approximately 70% (US\$500 million) of U.S. taxpayer money allocated for Haiti's reconstruction was instead re-invested in corporate contracts.⁵⁸ Foreshadowing how this money would be spent, several U.S. contractors receiving donor funds, such as AshBritt Environmental and CH2M Hill,⁵⁹ had already been implicated in cases of political corruption

⁵⁶ See Wikileaks, The Gold Rush is On. 1 February 2010. Retrieved from https://wikileaks.org/plusd/cables/10PORTAUPRINCE110_a.html

See also Herz and Ives, WikiLeaks, Haiti: The Post-Quake 'Gold Rush' for Reconstruction Contracts. *The Nation*, 15 June 2011. Retrieved from <https://www.thenation.com/article/wikileaks-haiti-post-quake-gold-rush-reconstruction-contracts/>

⁵⁷ See Wikileaks, The Gold Rush is On, 1 February 2010. Retrieved from https://wikileaks.org/plusd/cables/10PORTAUPRINCE110_a.html

Herz and Ives, WikiLeaks Haiti: The Post-Quake 'Gold Rush' for Reconstruction Contracts. *The Nation*, 15 June 2011. Retrieved from <https://www.thenation.com/article/wikileaks-haiti-post-quake-gold-rush-reconstruction-contracts/>

⁵⁸ *The Economist*, A Growing Share of Aid is Spent by Private Firms, Not Charities, 6 May 2017. Retrieved from <https://www.economist.com/international/2017/05/06/a-growing-share-of-aid-is-spent-by-private-firms-not-charities>

⁵⁹ *The Economist*, A Growing Share of Aid is Spent by Private Firms, Not Charities, 6 May 2017. Retrieved from <https://www.economist.com/international/2017/05/06/a-growing-share-of-aid-is-spent-by-private-firms-not-charities>

and wasteful public spending in other disasters. For some of these corporations, Haiti's clean-up would prove more lucrative than their business operations after Hurricane Katrina.⁶⁰

Acts of international profiteering in the post-earthquake reconstruction period intersected neatly with local configurations of elite criminality, as new capital influxes reinforced the power and profitability of large Haitian businesses accused of corruption and violence.⁶¹ Various U.S. administrative departments engaged in their own forms of disaster profiteering by raiding public funds earmarked for Haiti's reconstruction.⁶² For example, at least one-third of the U.S.'s initial relief package went to the U.S. military to pay for the 20,000 troops it sent to Haiti after U.S. officials pressured the Haitian government to declare a state of emergency and delegate its law enforcement powers to the U.S. The militarisation of humanitarian aid destabilised ideas of aid as a means for alleviating human suffering, not only because critically needed aid was diverted from core human needs, but also because the U.S. military was repeatedly blamed for obstructing the delivery of supplies to affected populations.⁶³ ⁶⁴ Such evidence of state-corporate profiteering revealed foreign priorities to leverage aid to profit from the disaster rather than to meaningfully improve urban conditions after the devastating earthquake.

Humanitarian and reconstruction aid became a strategic device for re-organising Haitian economic policy and political sovereignty. From the outset, Haitian reconstruction policy was controlled by foreign governments and multilateral institutions who developed an Action Plan for National Recovery and Development. The Action Plan ushered in neoliberal reconstruction policies in the name of the Haitian state, despite minimal participation of state authorities in their development. The Action Plan emerged from a post-disaster needs assessment (PDNA) imposed on Haitians while they were still recovering from the trauma of the earthquake (Belizaire, 2012). This clearly illustrates the way that dominant states (and

⁶⁰ D. Sontag, *Weary of Debris, Haiti Finally Sees Some Vanish*, New York Times, 17 October 2010. Retrieved from <https://www.nytimes.com/2010/10/18/world/americas/18haiti.html>

⁶¹ Jordan Flaherty, *The Profits from Human Misery*, Morning Star Online, 13 January 2011.

⁶² B. Quigley and A. Ramanauskas, *Haiti: Where is the Money?* 26 February 2012. Retrieved from <https://ualr.edu/socialchange/2012/02/26/haiti-where-is-the-money/>

⁶³ M. Sheridan and W. Branigin, *Chaos at Port-au-Prince airport slows Haiti emergency aid efforts*, 15 January 2010. Retrieved from <http://www.washingtonpost.com/wp-dyn/content/article/2010/01/15/AR2010011500362.html?noredirect=on>

⁶⁴ B. Quigley and A. Ramanauskas, *Haiti: Where is the Money?* 26 February 2012. Retrieved from <https://ualr.edu/socialchange/2012/02/26/haiti-where-is-the-money/>

complicit multilateral institutions) ‘act swiftly to impose rapid and irreversible change’ on crisis-affected countries (Klein, 2009, p. 6). The PDNA was sanitised by World Bank experts as a technical needs assessment requiring nominal local input,⁶⁵ and indeed, the PDNA lacked local voice and participation (Belizaire, 2012). Haiti’s PDNA process speaks to specific techniques used by the World Bank, as an institution of supranational international governance, to recast political processes as arenas for technical intervention (Li, 2001; Harvey, 2003; Kiely, 2010).

The PDNA was subsequently used by international experts, including the World Bank, foreign governments, and UN agencies, to assemble a package of neoliberal economic reforms as the solution to earthquake poverty and destruction (Belizaire, 2012). First and foremost, the Action Plan committed Haiti to providing ‘the legal and regulatory framework that can meet the requirements of a modern country open to investments’ (Action Plan, 2010, p. 22). Authorised by a UN Session in New York – far from Haiti – the Action Plan endorsed regional industrial parks and free-trade zones as remedies for patterns of over-urbanisation underlying earthquake vulnerability and human suffering. These recommendations tied Haitian reconstruction targets to U.S national interests by putting Haiti back on the path to becoming an offshore assembly hub for the U.S. garment industry.⁶⁶

The foreign interests directing the Action Plan were so clear that Haitian audiences dismissed the plan as ‘a patching-together of IFI [international finance institution] remedies that represent only the continuation of policies from before January 12, remote-controlled from abroad’ (Belizaire, 2012, p. 39). Grassroots organisations such as Haiti’s Papaye Peasant Movement (MPP)⁶⁷ – one of the largest civil society groups in the country – dismissed the

⁶⁵ Interview with World Bank Representative, Port-au-Prince, 15 November 2013.

⁶⁶ The Plan states: ‘The construction and management of large facilities and infrastructure for production (industrial zones, business “free zones”, etc.) or as an aid to production (ports, airports, energy and telecom infrastructure, etc.) will necessitate huge investments and adequate management capacity...The success of regional centers will depend largely on incentives for industrial, commercial and tourist development. In this respect, the Hope II law provides an initial framework for using Haiti’s comparative advantages, to benefit from its workforce, the proximity of the North American market and the know-how of its private sector...In the short term, in addition to negotiations and legal and regulatory measures, the State of Haiti wants to encourage investments in this sector by supporting the development of industrial parks and free zones.’ See Haitian Government, Action Plan for National Recovery and Development of Haiti. March 2010. Retrieved from http://www.recoveryplatform.org/assets/publication/Action_Plan_12April_haiti.pdf

⁶⁷ The Papaye Peasant Movement was formed in 1973 and has approximately 50,000 members, making it one of the largest and most vocal associations advocating for social justice in Haiti.

internationally backed reconstruction plan, claiming it to be ‘concocted in the name of the people without their participation.’⁶⁸ MPP and other civil society organisations also disputed the idea that states should drive the reconstruction process. MPP leader Jean-Baptiste Chavannes implied that foreign states and multilateral institutions were responsible for reinforcing power imbalances between local people and their repressive government when he stated: ‘We [Haitian civil society] cannot allow the government—which does not have the confidence of the people—to make all the decisions on building the country.’⁶⁹ These misgivings coupled with the imposition of neoliberal policies known for destroying local livelihoods demonstrated how both the PDNA and Action Plan constituted some of the first international acts ‘alienating Haitians from ownership over their own tragedy’ (Doucet & Macdonald, 2012, p. 79).

The Haitian state, meanwhile, created a permissive environment for foreign extraction. Haitian officials ceded their decision-making sovereignty to foreign states in exchange for aid, and later, for opportunities to engage in new forms of corruption associated with the influx of foreign capital. Haitian state approval of the Action Plan led to the creation of an Interim Haiti Reconstruction Commission (IHRC), an entity that severely limited public participation in reconstruction decisions. The IHRC’s co-chair arrangement⁷⁰ guaranteed U.S. oversight and approval over all aid projects, especially in relation to lucrative business activities such as rubble clearance and infrastructural construction. This reconstruction body’s membership followed a “pay-to-play” principle, allowing rich and powerful donors to buy their seats on the reconstruction commission and participate in the approval and strategic funding of reconstruction projects, which were commonly tied to the desire of states to have their goods and services procured for disaster relief.⁷¹ The IHRC’s performance of “inclusive reconstruction” brought together multinational institutions, international NGOs, and a handful of internationally-approved Haitian officials and business representatives into the

⁶⁸ AlertNet, Haitians want a bigger say in post-quake reconstruction, 30 March 2010. Retrieved from <https://reliefweb.int/report/haiti/haitians-want-bigger-say-post-quake-reconstruction>

⁶⁹ AlertNet, Haitians want a bigger say in post-quake reconstruction, 30 March 2010. Retrieved from <https://reliefweb.int/report/haiti/haitians-want-bigger-say-post-quake-reconstruction>

⁷⁰ Co-chair positions were filled by then-U.S. President Bill Clinton and then-Haitian Prime Minister Jean Max Bellerive.

⁷¹ D. Chery, Haiti’s Pay to Play. Haiti Liberte. 2016. Retrieved from <http://www.haiti-liberte.com/archives/volume10-11/Haiti%20s%20Pay-to-Play%20IHRC.asp>

IHRC. This composition helped legitimise the body's authority to direct funds to state-backed corporate projects.

Though established to provide Haiti with a well-managed reconstruction process, the IHRC collapsed after 18 months with few real achievements. From the outset, the IHRC was dogged by allegations of corporate favouritism and corruption, as huge amounts of reconstruction money disappeared under its management.⁷² The IHRC's failures were abetted by the unwillingness of foreign governments to channel aid through a coordinated reconstruction body, which intrinsically reduced Haitians' power over aid decisions (Willems, 2012). Despite the political rhetoric infantilising Haitians and the Haitian state, the IHRC turned out to be one of the most corrupt and dysfunctional mechanisms ever produced by foreign governments for Haiti – to the extent that even the Haitian government pushed back and refused to renew its mandate (Schuller & Morales, 2012, pp. 35–55). Even so, the demise of the IHRC was problematic. It freed foreign donors and humanitarian organisations to pick and choose different issues or areas for involvement, based on their own organisational goals and strategic interests. This would inevitably lead to the kind of piecemeal, “project-ized” aid that reinforces aid agencies' technocratic engagement with local communities and is conducive to the strategic avoidance of structural problems.

When the Haitian government was unable to deliver structural reforms or efficiently restore local conditions, foreign governments orchestrated the political conditions necessary for achieving key market goals for Haiti, such as privatisation and establishment of free trade zones. In November 2010, nine months after the earthquake, when millions of people were still living in tents, the U.S., France, and Canada pressed Haiti to hold presidential elections and spent over US\$25 million to bring about their desired result (Blot, 2012, pp. 195–99). The rushed and flawed election process, decried as a silent coup d'état by a former OAS representative,⁷³ resulted in the election of pro-business candidate Michel Martelly.⁷⁴

⁷² D. Chery, *Haiti's Pay to Play*. Haiti Liberte. 2016. Retrieved from <http://www.haiti-liberte.com/archives/volume10-11/Haiti%20s%20Pay-to-Play%20IHRC.asp>

⁷³ D. Beeton and G. Nienaber, *Haiti's Doctored Elections, Seen from the Inside: An interview with Ricardo Seitenfus*, 24 February 2014, Dissent Magazine. Retrieved from https://www.dissentmagazine.org/online_articles/haitis-doctored-elections-seen-from-the-inside-an-interview-with-ricardo-seitenfus

⁷⁴ Evidence of U.S. meddling in Haiti's 2010 election was reported by the Centre for Economic and Policy Research in Johnston, J., *Clinton E-Mails Point to US Intervention in 2010 Haiti Elections*, 7 September 2016.

President Martelly's vision of reconstruction mirrored that of the foreign states who had helped him gain power. He committed to implementing the reconstruction objectives laid out by the Action Plan. After his inauguration, Martelly declared Haiti 'open for business,'⁷⁵ making foreign investment his primary strategy for addressing the earthquake's devastating effects,⁷⁶ thereby providing local articulation of the neoliberal policies laid out in the Action Plan.⁷⁷ Little attention was paid to basic public needs, as Haitian officials aggressively pursued overseas capital with promises of generous tax exemptions, deregulation of key economic sectors, and cheap sweatshop labour. This also included a fire sale of key public assets and services to foreign investors, including the telecommunications sector and control over its custom's tariffs during the reconstruction.⁷⁸ The government invited the World Bank to re-write and weaken regulations in Haiti's attractive mining sector – which some speculated was the hidden motive for large-scale foreign intervention after the earthquake.⁷⁹

Martelly's economic policy boosted his administration's standing with foreign governments despite its failure to address mass homelessness or prevent violence against people living in new settlements created by the earthquake (discussed in the next section). While half a million-people languished without adequate housing, the Martelly administration won praise⁸⁰ for becoming Haiti's 'most pro-business government in fifty years.'⁸¹

Retrieved from <http://cepr.net/blogs/haiti-relief-and-reconstruction-watch/clinton-e-mails-point-to-us-intervention-in-2010-haiti-elections>. See also Weisbrot & Johnston, 2012, pp. 199–204.

⁷⁵ The Economist, Rebuilding Haiti: Open for Business, 7 January 2012. Retrieved from <https://www.economist.com/the-americas/2012/01/07/open-for-business>

⁷⁶ S. Shafy, Haitian President Martelly: 'I'm Trying to Re-establish Confidence' Spiegel Online. 5 November 2015. Retrieved from <http://www.spiegel.de/international/world/interview-with-haitian-president-michel-martelly-a-1000719.html>

⁷⁷ M. Whitefield, Haitian Prime Minister Prospects for Business. 7 November 2014. Retrieved from <https://www.miamiherald.com/news/business/international-business/article3651707.html>

⁷⁸ D. Chery, Outsourcing Customs Tax Collection in Haiti and Beyond. Counterpunch. 24 November 2014. Retrieved from <https://www.counterpunch.org/2014/11/24/outsourcing-customs-tax-collection-in-haiti-and-beyond/>

⁷⁹ B. Fox, Big hopes for mining in Haiti fail to pan out amid concerns over regulation. U.S. News and World Report. 13 April 2015. Retrieved from <https://www.usnews.com/news/business/articles/2015/04/13/mining-in-haiti-on-hold-amid-uncertainty-and-opposition>

⁸⁰ UN Security Council, United States briefs Security Council on results of 13-16 February Haiti mission, 28 February 2012. Retrieved from <https://reliefweb.int/report/haiti/united-states-briefs-security-council-results-13-16-february-haiti-mission-says-members>

⁸¹ M. Whitefield, Haitian Prime Minister Prospects for Business. 7 November 2014. Retrieved from <https://www.miamiherald.com/news/business/international-business/article3651707.html>

In summary, Haiti's reconstruction environment provides a contextual example of how states seek out opportunities for capital accumulation in the aftermath of natural disaster, and leverage foreign aid and global institutional arrangements (such as the World Bank) to restructure local economies for freer capital flows (Harvey, 2003). This section briefly alluded to civil society censure of these processes, while showing the necessary function of Haiti's government, elected under dubious circumstances, to provide the institutional arrangements for both short and long-term goals of accumulation. The benefits of working within the disaster capitalism framework laid out by imperialist states will become clearer in the following sections, where foreign states displayed little concern with the state's failure to develop a housing policy or stop the criminal violence directed at land occupants/disaster victims. With this in mind, we shall now turn to the dynamics of land contestation created by the earthquake.

II. Local Reactions to the Earthquake: Mobility and Land Capture

In this section, I will describe how the January 2010 earthquake produced new arenas of land contestation between Haiti's state elite, on the one hand, and earthquake victims, on the other. This section outlines the differences between local demands for urban justice and state-humanitarian goals for restoration of the pre-existing urban order. These distinctions become important for exploring humanitarian complicity with the predatory goals of states described above as well as their own acts of harm and crime directed at land occupants (who I will also refer to as "squatter communities" in this thesis).

The 2010 earthquake produced a scale of human mobility rarely seen in an urban environment. In the immediate aftermath, humanitarian agencies registered 1.5 million Port-au-Prince residents as *displaced*, based on their construction of makeshift settlements across the city. This meant that over one-third of the urban population had been dislocated by the disaster event. Yet, it is important to understand the complex factors behind patterns of post-disaster mobility and settlement, and how these factors mingled with and were produced by the violent urban order described in Chapter Three. Most people who ended up living in tented settlements from 2010 to 2015 experienced tenure insecurity prior to the earthquake. These included renters, squatters, homeless individuals, recent rural-urban migrants, and tenant farmers (see Levine et al., 2012). People's displacement and lack of housing after the earthquake were caused by the primary effects of the disaster, such as the physical destruction

of rental homes or squatter sites, as well as the secondary effects of the earthquake situation, in which they lost jobs/income and suffered the increased cost of rent and other living expenses.

One notable factor for people displaced after the earthquake was the inability to find new affordable accommodation, as rents skyrocketed in the post-disaster economy. Rents in post-earthquake Port-au-Prince immediately tripled in response to diminished housing stock.⁸² Another reason for post-earthquake homelessness was that vulnerable families who had paid a full year's rent upfront on January 1st, had no savings to pay rent elsewhere after their rental unit was destroyed on January 12th.⁸³ Furthermore, property owners without the financial means to reconstruct destroyed homes also comprised a segment of the displaced population.

What must be emphasised is the ruinous state of urban housing in Port-au-Prince prior to the earthquake. Poor housing conditions guaranteed that large numbers of homes were vulnerable to damage and destruction. And as a result, large numbers of people would be without adequate housing for a long period of time. To grasp the enormity of the issue, consider the following figures. Although the earthquake destroyed 105,000 homes (and damaged 208,000 others), this level of destruction hardly eclipsed the housing deficit that had been created by decades of state neglect of rural-urban migration and population growth (Lundahl, 2011, p. xiii). The housing deficit prior to the earthquake was believed to be up to 300,000 homes, or *three times* the number of homes destroyed by the earthquake (Levine et al., 2012). This comparative data raises suspicions about the underlying goals of Haiti's humanitarian intervention, given that states and international organisations paid little attention to the appalling state of urban housing in Haiti until the earthquake disrupted the urban environment and became the tipping point for mass population dislocation. In summary, when combining the pre-earthquake housing deficit with earthquake-related housing damage and urban growth rates, Port-au-Prince's reconstruction effort would have needed to build approximately 400,000 homes to adequately accommodate the urban population, in addition to repairing damaged homes.⁸⁴

⁸² Interview with humanitarian official 35/housing expert, London, 10 June 2014.

⁸³ Interview with humanitarian official 35/housing expert, London, 10 June 2014.

⁸⁴ Interview with humanitarian official 35/housing expert, London, 10 June 2014.

Such a dire picture of housing explains why informal settlements exploded across the city as the main social response to a lack of housing during the reconstruction period. In the first six months after the earthquake, humanitarian agencies registered 1,555 post-earthquake settlements across the urban landscape (IOM, 2010). While some people sought shelter in parks, schools, churches, and the airport, many of these newly recorded settlements materialised on empty and unused plots of urban land.

Post-earthquake settlements varied widely in terms of the conditions they offered. In 2010, approximately 33% of the entire displaced population were living in settlements that provided shelter to over 1,000 households (IOM, 2010). Depending on the space available, this could mean that families were crammed together with less than one square meter of living space (Collins, 2014). In the most extreme cases, settlements like that in the Champs des Mars Plaza sheltered over 4,600 households.⁸⁵ In informal settlements, especially the crowded ones, people suffered from a range of harms, including lack of adequate shelter and public services (e.g., water and sanitation), risks of injury and disease, exposure to rain, landslides, and other natural hazards, and incidents of crime and sexual violence (Collins, 2014). In terms of sexual violence alone, Amnesty International reported 250 rapes in precarious settlements from January to May 2010 (Collins, 2014, p. 139). Studies from 2010 also showed minimal access of new settlements to functioning toilets (30%) and tented shelter (10%) (Schuller, 2010). This meant that considerable segments of the urban poor were subject to appalling living conditions, insecurity, and human rights abuses whilst awaiting house reconstruction (Collins, 2014).

The picture of lawlessness, mayhem, and violence does not fully capture the urban dynamic created by the earthquake, where mass mobility catalysed the extra-legal capture of urban land. The literature on Haiti's earthquake tends to focus on post-earthquake settlements as "states of exception," highlighting their characteristics of marginalisation and rightlessness. While this perspective certainly applies when analysing state-humanitarian governance of these spaces, a more nuanced understanding of state-humanitarian crime requires us to

⁸⁵ International Organization for Migration. First Wave of Families Leaves Haiti's Champ de Mars with IOM Help. Retrieved from <http://haiti.iom.int/fr/node/132>

simultaneously grasp the ways in which these new settlements had nurtured opportunities for people to reclaim urban land and redraw the spatial boundaries of the city.

It must be recognised that not all settlements were tainted by inhospitable conditions. Many of these spaces offered living arrangements that were better than the slum neighbourhoods where people lived prior to the earthquake (Schuller, 2012a). There was the potential for spontaneous settlements to become new urban communities with permanent housing. More than half of the 1,555 settlements housed fewer than 100 families (IOM, 2010). Size, of course, is only one pre-condition of habitability. More telling, perhaps, are unpublished humanitarian assessments suggesting that up to 256 settlements provided favourable living conditions that would allow them to be turned into permanent housing.⁸⁶ Even when informal settlements did not provide habitable living conditions, people still valued them for providing a backstop to their worsened economic situation after the earthquake – a theme to which I will return in Chapter Six.

Data gathered from humanitarian institutions on land occupation is supplemented by my fieldwork (October 2013 to August 2014) and interviews with the people living in post-earthquake settlements. Information gathered during my fieldwork counters the dominant depiction of new settlements as inhospitable and lawless spaces, and shows them as the central battleground for post-earthquake land struggles between precarious urban populations and the state elite. I discerned three ways that people engaged with new informal settlements in their quest for better access to land and housing. First, for multiple reasons pertaining to the cost and inaccessibility of urban housing, earthquake victims began relying on that settlements as an informal extension of the urban housing market.⁸⁷ There was a great deal of fluidity within and between settlements, which was evidenced by the “for rent” and “for sale” signs on internationally provided tents, temporary shelters, and plots inside these informal spaces.⁸⁸ post-earthquake settlements also offered families a buffer zone for economic recovery. As some interviewees explained, lower-income families with some financial assets were able to leverage their designated plots or tents in informal settlements as stepping-stones to better

⁸⁶ IOM Draft Paper ‘Longer-Term Solutions to Displacement in Haiti: Exploring Community Integration as a Viable Approach’ obtained in person in July 2014.

⁸⁷ Interview with humanitarian official/housing expert 35, London, 10 June 2014.

⁸⁸ Interview with humanitarian official/housing expert 35, London, 10 June 2014.

housing options. During the course of my fieldwork, I was told by one family that they lived in a settlement for free for two years (from 2010 to 2012), allowing them to save money and find jobs. When they felt more financially stable, they left the settlement and obtained better housing in a more established neighbourhood. Part of what allowed them to make this move was the sale of their allotted space and tented home to a poorer family suffering from insecure tenure.⁸⁹ This second family had not lost their home during the earthquake, but was unable to afford their rent one year after the earthquake struck. The narratives of both families are instructive, not only for showing important reasons for land occupation. They highlight social behaviours that humanitarian organisations would fail to appreciate and would often classify as deviant, according to the ways humanitarian actors configured space and interpreted property rights.

A second trend my research identified was the deliberate attempt to leverage the chaotic urban environment to claim land for long-term housing. These acts of land occupation exemplify a “people-led reconstruction process” that I will explain in more detail in Chapter Six. Interviews with people living in post-earthquake settlements inside Port-au-Prince underscored the extent to which people distrusted the Haitian state and internationally led reconstruction process.⁹⁰ Interviewees in *Tabarre* commune – a less dense and underdeveloped area of the city – explained that only days after the earthquake some people gathered friends and family to look for empty land to restart their lives. Their intention was to capture and control unused land as a means to protect themselves from further victimisation. Essentially, the days after the earthquake were the perfect moment to fly under the radar and clandestinely occupy land. Because this group of earthquake victims saw little aid money and believed most of it was flowing directly to international humanitarian organisations, they framed their occupation as an act of self-protection. They perceived internationals as commodifying their victimisation, which one interviewee described as internationals putting ‘our human rights for sale.’⁹¹

Thirdly, mass displacement and the creation of informal settlements opened up new ways of bargaining with the criminal state. Even if captured land did not provide a hospitable

⁸⁹ Interviews, Caradeux settlement, Port-au-Prince, 19 July 2014.

⁹⁰ Interviews, Caradeux settlement, Port-au-Prince, 19 July 2014.

⁹¹ Interviews, Caradeux settlement, Port-au-Prince, 19 July 2014.

environment for permanent housing, people perceived land control as a means for negotiating for alternative housing, especially if the land had high commercial value in the reconstruction environment.⁹² People understood that settlements had uniquely visualised the plight of the urban poor and had given them the right to be heard.⁹³ However unintended, these local tactics initially benefitted from humanitarian discourses implying that people living in displacement sites (i.e., new informal settlements) were entitled to a solution to their displacement. That said, land occupations would eventually be subjected to restrictive humanitarian discourses that would undermine and frame local demands and methods of land control as deviant.

To summarise, earthquake population movements and land occupations severely disrupted the urban order and reconstruction economy. Many settlements were on urban land coveted in the reconstruction period, including for infrastructure or commercial reconstruction. The Haitian state, which had failed to address social housing needs prior to the earthquake, stood to lose control of valuable parcels of urban land. Private landowners, who often did not have legal or legitimate title to their property, also risked losing access to land as a result of the earthquake's land occupation phenomenon. These dynamics presaged the inevitable social clashes and violent encounters over land in the reconstruction period.

III. Humanitarian Containment and De-Politicisation of Post-Earthquake Land Occupations

I will now examine humanitarian actions and the position of humanitarian practices in relation to the institutional framework of state predation described in Section I. This section emphasises many of the contradictions that are intrinsic to international humanitarian action, including the highly-politicised nature of “apolitical” organisations. It shows how humanitarian organisations applying conventional norms and narratives on disaster displacement implicitly support state organisational goals by restructuring debates over reconstruction needs and solutions. Humanitarian discourses, in other words, distract from the harms and criminality underpinning earthquake homelessness and reproduce the authority of institutional power to determine the trajectory of foreign aid. This study demonstrates that once humanitarian organisations assumed power over disaster victims in informal settlements,

⁹² Interview with community leader in Acra settlement, Port-au-Prince, 15 April 2014.

⁹³ Interviews with local housing activists 2, 3, & 4, Port-au-Prince, 24 April 2014.

their approach to housing was shaped by dehumanised, managerialist thinking about victims and a desire to capitalise on Haiti's aid resources. Such practices serve capital by re-appropriating land conflicts, undermining victims' land claims, and restoring capital flows and power relationships.

III.I The institutional and discursive framework of Haiti's humanitarian action.

Humanitarian organisations first engaged in the institutional framework of disaster predation by adopting state discourses of 'Build Back Better.'⁹⁴ This discourse was arguably a neo-colonial because of the way it positioned the superiority of international expertise to fix Haiti's housing crisis and broken urban system. On the one hand, this discourse legitimised international control over nearly all aid resources dedicated for reconstruction under the assumption that international organisations had the knowledge and capabilities to transform Port-au-Prince into a well-ordered, thriving metropolis. On the other hand, it became a rallying cry for aid organisations to go beyond life-saving relief and drive structural changes in the urban environment.

The UN affixed itself to the goal of nation-building when then-Secretary General Ban Ki Moon vowed UN support to broker a new social contract between the Haitian government and its people.⁹⁵ The IMF also claimed that huge amounts of international aid would constitute Haiti's Marshall Plan and bring an end to Haitian poverty and deprivation.⁹⁶ Though humanitarian organisations re-articulated the 'Build Back Better' phrase in their statements and reports, my interviews suggest that many humanitarian staff eventually lost faith in the commitment to this goal. As one humanitarian interviewee confessed: 'After one year into the reconstruction, organisations were admitting and whispering to each other, this is impossible, building back better is nothing but a dream.'⁹⁷ This interviewee contextualised his statement

⁹⁴ The "Build Back Better" mantra first emerged after the 2004 Asian Tsunami. There, it was synonymous with a number of state-building goals. It has since been used in other international disasters, including the Kashmir earthquake in Pakistan (2005), Hurricane Katrina in the U.S. (2005), Cyclone Nargis in Myanmar (2008) (see Fan, 2013, p. 1).

⁹⁵ United Nations, Haiti Earthquake: Situation Updates, Ahead of donor conference in New York, Ban talks of building back better. 31 March 2010. Retrieved from http://www.un.org/News/dh/infocus/haiti/haiti_quake_update.shtml

⁹⁶ D. Strauss-Kahn, 'Why We Need a "Marshall Plan" for Haiti', Huffington Post, 22 January 2010. Retrieved from https://www.huffpost.com/entry/why-we-need-a-marshall-pl_b_432919

⁹⁷ Interview with humanitarian official 35/housing expert, London, 10 June 2014.

by pointing out that the ‘Build Back Better’ discourse had placed enormous, unachievable expectations on humanitarian organisations to transform urban relations without the necessary resource commitments. Even so, most organisations remained publicly silent about the emptiness of state rhetoric, the lack of donor funding, and their demanding, frontline position to deliver ‘Build Back Better’ objectives.⁹⁸

Part of this may have been that such discourses sanctioned the legitimacy and authority of the UN-led humanitarian response, which adopted the goals laid out by the Action Plan and the ‘Build Back Better’ mantra. As with other disaster responses, the UN rolled out the UN Cluster System,⁹⁹ an institutional mechanism which compartmentalised urban issues into sector responsibilities (i.e., food, shelter) and assigned different organisations to coordinate and oversee these responsibilities. The UN Cluster System is designed to bolster national structures by bringing together humanitarian actors and national authorities to support humanitarian programmes, with the view of eventually transferring all humanitarian responsibilities to national authorities (Ferris, 2011, p.71).

From the beginning, this institutional mechanism side-lined civil society participation in sector-related decision-making. Because most coordination meetings were held in the UN compound (Log Base), local Haitian NGOs and grassroots activists were routinely excluded and intentionally (or unintentionally) barred from entry (Miles, 2012). When Haitians did manage to attend, international organisations dominated meetings with their expert language and knowledge, and silenced local voices by conducting meetings in the colonial languages of English or French. Adding to this, Miles highlights the spatial distance between Haiti’s international aid community and disaster victims in the following observation:

UN coordination staff effectively insulated themselves from their Haitian counterparts and the affected population behind the walls of the Log Base. They travelled the city in SUVs, afraid of the people around them in the streets that led to their organisations’ camps.... Most had short-term assignments in Haiti, and because

⁹⁸ Interview with humanitarian official 35/housing expert, London, 10 June 2014.

⁹⁹ The UN Cluster System is the institutional architecture guiding global humanitarian responses led by the U.N. It is the outcome of humanitarian reform processes and aimed at enhancing the coordination of humanitarian agencies and ensure that humanitarian needs are met in different sectors. See <https://www.humanitarianresponse.info/en/about-clusters/what-is-the-cluster-approach>.

of the misperception concerning security and Haitians, they were unaware of urgent problems all around them (Miles 2012, p. 49).

Humanitarian decision-making, in other words, replicated the power asymmetries between dominant states and the Haitian government. Many Haitian NGOs would need to drop their social priorities and adopt the normative language and priorities set by international organisations in order to participate in the international relief effort as service providers. As observed by Mark Schuller (2012b, 2016), aid dynamics reinforced the social distance and tension between Haiti's professional "Klas ONG" (NGO class) and poorer Haitians benefitting from humanitarian relief. The dominance of the UN cluster system and the more than 10,000 international NGOs and UN agencies¹⁰⁰ that flocked to Haiti had other repercussions for state accountability and governance. Throughout the humanitarian relief period (2010 to 2015), Haitian activists and scholars criticised humanitarian service providers for replacing state functions and reducing local expectations of the Haitian state, raising concerns about what would happen when international organisations left Haiti (Haiti Grassroots Watch, 2012). The institutional form of humanitarianism in Haiti therefore appeared to fit comfortably within broader neoliberal strategies to decrease state responsibilities and funds for social welfare.

As alluded to above, international humanitarian organisations allowed foreign states to channel funds for relief and reconstruction, while minimising their actual contributions and thus reducing the risk of public censure. Despite pledges to improve urban conditions, foreign governments would only disburse 60% of their pledged humanitarian recovery funds, which was originally US\$9.28 billion (Ramachandran & Walz, 2012, p. 7). Most of this funding would be provided in the first two years of the humanitarian response, meaning that huge gaps in financing for humanitarian programmes and housing would emerge after 2012, an important factor when looking at the forces behind humanitarian organisational deviance.

As previously discussed, most foreign aid declared for rebuilding Haiti and providing housing would never reach the people affected by the earthquake. This was due to weak foreign oversight and restrictions on how aid organisations used their funds, and the tendency

¹⁰⁰ Baptiste, N., Are Foreign NGOs Rebuilding Haiti or Just Cashing In?, 10 July 2015, Foreign Policy in Focus. Retrieved from <https://fpif.org/are-foreign-ngos-rebuilding-haiti-or-just-cashing-in/>.

to provide the bulk of funds to an established aid oligopoly (see Weiss, 2013, p. 32). Large UN agencies and international NGOs often subcontracted donor funds to smaller organisations, leading to significant waste in organisational overheads and operational costs. In foreign government funding alone, one-quarter was distributed to large UN agencies and international NGOs with high costs of operation (Ramachandran & Waltz, 2012, pp. 8–9). In terms of U.S. funding, some of the largest non-profit humanitarian providers included CARE USA (US \$115 million), the International Organization for Migration (US \$94 million), Catholic Relief Services (US \$74 million), and World Vision (US \$8 million). Studies interrogating why so few houses were built for Haitians would later show disturbing trends in humanitarian profiteering (Johnston, 2018). In total, Haiti’s humanitarian sector appeared to absorb, for their own operational costs, approximately 43 cents of every aid dollar claimed to be spent on Haitians (Edmonds, 2012, p. 63). The lack of transparency by aid organisations, however, makes it difficult to determine the exact nature of organisational spending and how much money that could have been spent on housing was redirected to organisational overheads, vehicles, professional salaries, and organisational growth objectives (Disaster Accountability Project, 2012). Failures to provide adequate housing were clearly linked to donor indifference to organisational spending and hidden patterns of aid profiteering and waste.

III.II Restructuring debates on housing, land, and reconstruction.

I will now consider the processes by which Haiti’s humanitarian agencies consolidated their power and authority over disaster victims living in informal settlements. How these processes unfolded reveals how debates about housing shifted from a structural approach to a fragmented, individualised approach to resolving disaster-induced displacement (not homelessness). Although international organisations with either humanitarian and development identities were both subsumed under the UN Cluster Approach, their institutional mandates often overlapped. “Emergency” issues (i.e. those dealt with by humanitarian actors) were clearly rooted in longer-term “development” problems (i.e. those responded to by development actors). This led to heightened competitiveness between two distinct groups of organisations with different terminologies, objectives and approaches to their institutional work. In this competitive aid landscape, foreign donors’ power to fund

specific organisations also implied the power to select the aid approaches and activities most desirable to them.

Literature on Haiti which has overlooked the finer distinctions between humanitarian and development organisations has often failed to grasp the origins of humanitarian dominance. Retold by organisations on both sides, the decision to approach urban housing as a short-term, humanitarian issue was not an inevitable consequence of international intervention. Rather, it stemmed from humanitarian successes in the aid marketplace. As debates were waged about how international organisations should address Haiti's housing deficit and displacement issues, UN agencies and international NGOs with humanitarian mandates began to sell to donors their prior experience in dealing with crisis conditions and carrying out large logistical operations in crisis zones.¹⁰¹ Humanitarian actors were also well-organised under the UN cluster system. They presented an orderly humanitarian approach to population problems, especially as different camps and aid relief responsibilities were assigned to different agencies, and regular forums were established for coordinating activities and decision-making. The humanitarian sector (unlike the development sector) benefitted from an expansive population surveillance system created by the International Organization for Migration (IOM), which had assumed lead responsibility¹⁰² for camp management (the governance of informal settlements). IOM's Displacement Tracking Matrix, which routinely gathered data on population movements and conditions, provided a technical tool to frame population issues in statistical terms (i.e., number of displaced people; number and size of camps; land characteristics of camps; number of people/camps threatened with evictions; number of people provided housing solutions). Invoking Foucault's (1991) insights on governmentality, this surveillance system backed the claims of Haiti's humanitarian sector to *know* displaced populations. The DTM not only legitimised humanitarian authority to treat displacement problems, but it also promised a scientific method for restoring the pre-earthquake urban order.

Humanitarian agencies further rationalised their superiority over development organisations by invoking their responsibilities under the international legal framework on

¹⁰¹ Interviews with humanitarian officials 32 (9 August 2014) and 37 (16 July 2014), Port-au-Prince.

¹⁰² According to its institutional mandate under the UN Cluster System.

internal displacement (discussed shortly). This framework provided a persuasive narrative about the earthquake and urban restoration. With it, humanitarians offered a logic of practice and institutional prescriptions that fit comfortably with state goals that centred around the return home of Haiti's displaced populations. However, the internal displacement narrative and approach clashed with domestic civil society (which wanted to tell a story about predatory capitalism) and development organisations, such as UN-Habitat, who problematized approaches to housing based on individualised concepts of displacement.¹⁰³ In UN-Habitat's view, international aid was more likely to help people if it focused on addressing the structural barriers that prevent house reconstruction (i.e., land allocation) rather than treating individual circumstances, according to the highly-controlled tradition of humanitarian approaches (see Chapter Two).

The position of development organisations was best articulated by then-Special Rapporteur on Housing, Raquel Rolnik:

In Haiti, reconstruction and recovery has less to do with the construction of new houses for individuals directly affected by the earthquake than with the improvement of the overall living and housing conditions in unplanned and under-serviced settlements affected by the disaster. The approach should thus focus on settlements and communities, not individual constructions, and the aim to create places where people can have an adequate standard of living.¹⁰⁴

Regardless of the concerns and counterarguments of development organisations, the humanitarian approach was more appealing to donors. Interviewees from humanitarian and development organisations suggested that donor governments favoured the *quick* and *limited* displacement-ending approaches advertised by the humanitarian sector, and therefore directed their funds toward humanitarian strategies for re-housing displaced Haitians.¹⁰⁵

¹⁰³ Interviews with Haitian government advisor, Port-au-Prince, 14 March 2014 and local housing activist 10, Port-au-Prince, 24 April 2014.

¹⁰⁴ UN Human Rights Council. Note by the Secretary-General on the Right to Adequate Housing: Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living. 5 August 2011. UN doc. A/66/270, paragraph 54.

¹⁰⁵ Interviews with humanitarian officials 32 (9 August 2014) and 37 (16 July 2014), Port-au-Prince.

III.III Return, property protection, and ending displacement as organisational goals.

This section will consider the consequences of humanitarian action as a form of population governance in Haiti's post-earthquake settlements. In Chapter Two, I looked at how humanitarian agencies are implicated in a network of institutional relationships that serve states by maintaining the geopolitical order. A range of governing techniques are deployed by humanitarian organisations to administer populations in ways that eliminate threats to the capitalist system and seek to create more responsible, less dependent subjects, accepting of state-society relations under neoliberalism. The art of crisis population management, in Foucauldian terms, becomes a matter of incentivising population movements to operate within the parameters and frameworks set by capital and states, and deterring or suppressing population movements that appear dangerous and out of place (Choudry & Kapoor, 2013, p. 13; Lasslett, 2018). Humanitarian government relies on established, sanitised forms of knowledge and tools of science to predict and achieve population outcomes.

Following this theory, one technique of humanitarian governance relates to the construction of social identities that are compatible with processes of capitalist accumulation. In the immediate aftermath of the earthquake, UN political leaders and their affiliates (UNHCR and IOM) swiftly declared Haiti as an “internal displacement” crisis and invoked the social designation of internally displaced person (or IDP). This was based on preliminary judgements by the international community that the earthquake had triggered population displacement by forcing flight from homes to informal settlements (designated as camps).

Before analysing the implications of the UN's act of institutional labelling, I will reflect on the ways that international concepts of internal displacement reproduce dominant ideologies and unequal power relations. One enduring critique of the IDP identity is that international definitions of displacement are highly subjective, giving power to humanitarian practitioners to make some populations visible while rendering others invisible to systems of aid (Polzer & Hammond, 2008; Hathaway, 2007). These concerns are validated by the fixation on crisis-related forms of internal displacement in international legal frameworks and discourses designed to protect displaced people.¹⁰⁶ There is a lack of clarity on how other

¹⁰⁶ The definition provided in the UN Guiding Principles on Internal Displacement makes this clear: ‘Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their

forms of internal displacement, such as those associated with state-corporates crimes and violence, should be treated by normative frameworks focussing on crisis-related movements (Robinson, 2003).

Of significance is that this exclusion of certain types of displacement speaks to the criminological debates about harm and crime (see Hillyard et. al., 2004). Current normative frameworks have conceived the most harmful forms of internal displacement as those which are *exceptional* and *abnormal* (i.e., prompted by crisis conditions). The effect is an international system that overlooks displacement that occurs as part of an everyday capitalist existence, and is as damaging and arguably more pervasive (see Cooper & Paton, 2017). We may also say that the international legal framework on internal displacement has driven a politics of difference between categories of displaced people, showing how liberal discourses on rights protection often bring forth state policies of exclusion and discrimination (Kapur, 2007, p. 542). As we shall see in practice, normative constructs of internal displacement have also underpinned the assumption that states and humanitarian agencies should only work toward remedying the needs and harms created by single events (i.e., an earthquake). This assumption, in turn, has justified short-lived, humanitarian responses that focus on symptoms rather than root causes of forced movement and homelessness.

A host of liberal states, legal scholars, and humanitarian actors have championed normative developments on the protection of IDPs as a sign of progress in the international human rights regime.¹⁰⁷ Opposing this view are critical scholars who question the institutional power derived from the categorisation and recognition of IDPs, especially the institutional roles that have been carved out for international humanitarian organisations.¹⁰⁸ From the latter

homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.' See also B. Petterson (2002), Development-induced displacement: internal affair or international human rights issue? *Forced Migration Review* (12). Retrieved from <https://www.fmreview.org/development-induced-displacement/pettersson>

¹⁰⁷ See Roberta Cohen and Francis Mading Deng (1998), *Masses in Flight: The Global Crisis of Internal Displacement*. Washington: Brookings Institution Press; Susan Martin and Andrew Schoenholtz and Patricia Weiss Fagen (2005), *The Uprooted: Challenges in Managing Forced Migration*. New York: Lexington Books; E. Mooney (2005). The concept of internal displacement and the case for internally displaced persons as a category of concern. *Refugee Survey Quarterly* 24:3, 9-26.; Elizabeth Ferris. 2011. *The Politics of Protection: The Limits of Humanitarian Action*. Washington: Brookings Institution Press.

¹⁰⁸ See Polzer, T. and Hammond, L. 2008. Invisible displacement. *Journal of Refugee Studies*, 21:4, pp. 421 on common international practices of labelling and pathologizing beneficiaries of humanitarian assistance. See also

perspective, an international IDP regime has developed norms, logics, practices, and knowledge that justify a more disciplinary and repressive framework of humanitarian engagement, which in turn is co-opted and used by states (Polzer & Hammond, 2008). Arguments against an emerging global regime for governing IDPs – consolidated over the last twenty years – maintain that normative development on internal displacement constitutes an important tool for population containment (Duffield, 2001). They point to the provisions laid out in normative frameworks, such as the authority given to state and humanitarian institutions to determine the status of IDPs, identify solutions for displacement and decide when displacement has ended.¹⁰⁹ Although contextually specific, states and humanitarian organisations are often motivated to declare an end to displacement to demonstrate problems have been solved, and that their legal and moral duties have been fulfilled (Ferris, 2007).

How institutional regimes on internal displacement operate as a governing strategy in service of state interests is best exemplified by the discursive and legal restrictions placed on the settlement of displaced people. The normative framework offers prescriptive methods for dealing with displacement issues that are conceived at the individual level, thus negating collective rights and actions (Polzer & Hammond, 2008). Similar to refugees, individuals with an IDP status are entitled to a “durable solution”, which is defined by the following conditions:

- voluntary settlement to one of three options (known as “return,” “local integration,” or “resettlement”)
- elimination of vulnerabilities *associated with the experience of displacement* (emphasis added)
- attaining the same human rights protection as the rest of society

(Mooney, 2005)

These international standards are seldom followed in practice. States and humanitarian institutions involved in population governance have repeatedly constructed “return” as the preferred solution to displacement and the end of the displacement process (Hammond, 1999; Black & Gent, 2006). While it is widely recognised that return home may be contested or

Duffield, M., 2001. *Global governance and the new wars: the merging of development and security*, on the specific effects of the IDP regime.

¹⁰⁹ As evidence, Principle 28.1 of the UN Guiding Principles on Internal Displacement states: ‘competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country.’

expose people to harm and violence, international institutions have played a critical role in constructing positive narratives about return of IDPs (or refugees) to assuage public doubts about the acceptability and voluntariness of return processes (Barnett, 2001; Malkki, 2006, p.395; Ashutosh & Mountz, 2011). The UNHCR and the IOM are two global institutions most associated with disseminating these narratives and carrying out “voluntary” returns on behalf of states (see Chimni, 2000; Grieger & Pecoud, 2010; Koch, 2014). Such discourses frequently frame return home as a desirable, win-win outcome for vulnerable populations and states (Koch, 2014). In that sense, re-positioning people to the places where they belong emerges as a means of achieving order, stability, reconstructed state-society relations (Black & Gent, 2006).

The deployment of positive narratives about return may do more harm than just obscuring the non-voluntariness of state-humanitarian return programmes. They may also negate a more radical politics of place by naturalising pre-displacement conditions and emphasising the moral value of re-rooting people in their places of origin (Malkki, 1995). Furthermore, contemporary narratives of return operate within the confines of capitalism by framing property rights as the linchpin of successful return processes. The dominance of return has given rise to legal instruments¹¹⁰ to protect the property rights of displaced people (see Smit, 2012; Calhan, 2014). Concepts of return and property rights are often the basis of humanitarian technocratic engagement with victimised populations.

I will now consider the specific effects of population governance aligned with organisational goals of return, private property rights, and rapidly ending displacement. Amongst the first acts of humanitarian organisations responsible for finding housing solutions for earthquake victims was to construct an IDP population. This was accomplished by investigating, surveying, and mapping new informal settlements in the city, then defining the populations living in these settlements as the primary object of humanitarian intervention and analysis. Informal settlements were thus subsumed under humanitarian management and control. As described in the literature on camps, these spaces assumed characteristics of “states

¹¹⁰ See the Pinheiro Principles: United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons. 2005. Geneva: Center on Housing Rights and Evictions. Retrieved from <https://reliefweb.int/report/world/pinheiro-principles-united-nations-principles-housing-and-property-restitution-refugees>.

of exception,” where normative rhetoric on IDP rights quickly disappeared (see Turner, 2016; Zetter, 2007). Humanitarian organisations asserted their ways of seeing land occupations (as temporary camps) over the land claims of victims and assumed power to continually reframe victims’ claims to meet state-elite interests.

An immediate effect of humanitarian classification was that post-earthquake settlements were reconstructed as distinct and separate territorial spaces in relation to the rest of the city. The people living in settlements were marked as vulnerable populations of concern, while the people outside them – who may not have left their homes but were equally in need of housing – were excluded from humanitarian assistance. The spatial formation brought by humanitarian actors thus fabricated a politics of difference between the people living inside and outside of these spaces demarcated for humanitarian intervention. Making these artificial distinctions more concrete, organisations distributed IDP identity cards to people in camps. Such acts were the grounds for denying assistance to vulnerable persons (without such identity cards) seeking to enter camps to receive assistance. Despite the fluid way people were occupying unused land parcels for informal housing, humanitarians made every effort to “border” informal settlements and police movements into settlements. Their actions had no connection to the needs for land and housing, but were instead shaped by managerial demands to define and manage a reasonable caseload of earthquake victims/claimants.

Populations living in post-earthquake settlements were subordinated to managerial systems that reduced their needs, demands, and experiences to statistical data. Through the Displacement Tracking Matrix (DTM), humanitarians incessantly mapped and collected data on the displacement situation, in ways that highlighted successes in reducing population numbers. In this way, humanitarian organisations gave both foreign states and the Haitian government a tool to monitor their performance, as defined by the numbers of IDPs and post-earthquake settlements still remaining after the earthquake. Outside of state pressure, there were other incentives to remove informal settlements from the post-earthquake landscape. International framing of camps as spaces of last resort informed organisational perceptions that settlements should only offer temporary refuge. Some organisations stressed that informal

settlements needed to be removed in order to restore the integrity of the urban environment and catalyse new economic opportunities.¹¹¹

My research shows that humanitarian sentiments toward land occupants shifted in relation to the amount of donor funding available to organisations.¹¹² As donor funding declined over time, so too did humanitarian sympathies toward populations in new settlements. This is because humanitarians were subject to reputational attacks when they could not provide adequate services and living conditions to people of whom they had formally assumed responsibility.¹¹³ Organisational fatigue based on the gap between expectations and actual capacity is reflected in the statement of one aid worker:

Taking on this [camp management] responsibility in a place like Haiti was absurd. It put us in the position where we were supposed to find a solution for every single person in every single camp, and not only that, we had to ensure that every camp had basic services until this solution was found. Half my job was trying to maintain a decent level of services in the camp and the second half was trying to think – what the hell are we going to do with all of these people?¹¹⁴

Beyond these frustrations, organisations appeared aware of their acts of mislabelling. Many humanitarian reports cast post-earthquake settlements as dangerous and disease-ridden spaces, both as a fundraising tool and a way to legitimise humanitarian activities.¹¹⁵ However, interview data suggests that several organisations privately acknowledged their discourses were obscuring local realities and desires for land control. Even when the relationship between informal settlements and people's land goals were recognised, they were dismissed as problematic by the international community due to occupants' lack of legal standing. This is

¹¹¹ See Turner, S. 2016. What Is a Refugee Camp? Explorations of the Limits and Effects of the Camp.

¹¹² Interviews with humanitarian officials 3 (London, 9 June 2014), 6 (Port-au-Prince, 21 April 2014), and 37 (Port-au-Prince, 16 July 2014).

¹¹³ This is seen in humanitarian service delivery to "camps" (i.e. informal settlements). Whereas 211 "camps" had their needs adequately covered by international humanitarian organisations in March 2011, decreased donor funding had caused this number to drop by only 25 "camps" by October 2012. These figures were matched by the gradual decline in the provision of essential services to "camps". In 2014, only 67% of people living in post-earthquake settlements had access to latrines (IOM Displacement Tracking Matrix reports March 2011 and October 2012; Amnesty International, 2015a).

¹¹⁴ Interview with humanitarian official 3, London, 9 June 2014.

¹¹⁵ See, for example, the 2013 Humanitarian Action Plan at https://www.unocha.org/sites/dms/CAP/2013_Haiti_HAP.pdf.

evident in a 2011 report from the Human Rights Commission that raised alarm about new shantytowns:

The inhabitants of official camps...appear determined to stay there for the long-term, judging by the tents and shelters surrounded by gardens, bushes or trees. Almost everyone asked expressed the desire to remain in the camps rather than return to where they had lived before.... The Independent Expert was struck by the progressive transformation of the official camps into informal settlements and shanty towns.... Although the camps were an appropriate response to an emergency situation, one can only wonder whether they have now contributed to the emergence of a new kind of social organization that might create more problems than it solves.¹¹⁶

To conclude, organisational acts of mislabelling were not necessarily unintentional. Rather, they reflected discomfort with social identities and land behaviours that challenged traditional ways of thinking about and treating displacement situations. This is a point to which we shall return in Chapter Eight in relation to humanitarian forms of denial.

III.IV Property-based housing solutions and restoring the urban order.

Recalling Chapter One, Foucault's (1991) work shows that what is distinctive of governmentality is the need to govern populations according to regimes of truth, based on science, that allow government to administer populations according to natural laws. Bearing this in mind, I will look at the ways that humanitarian agencies used Haiti's unjust property laws to administer housing solutions and then condone the removal of land occupants from post-earthquake settlements. These processes began with the implementation of a massive IDP registration process during the first year after the earthquake. Led by the IOM, this registration process conducted in 1,555 settlements aimed to gather information about the targeted population that could be used to develop housing solutions. Understood as a specific technique of humanitarian power, the IDP registration process originated a new universe of truth about IDPs, stated in terms that resonated with the normative framework on IDPs described above. Similar to the DTM, IDP registration provided, as expressed by Didier Fassin

¹¹⁶ Human Rights Council, A/HRC/17/42, Report of the Independent Expert on the situation of human rights in Haiti, Michel Forst, 4 April 2011, paragraph 17. Retrieved from <https://canada-haiti.ca/sites/default/files/UN%20HRC%20Report%20Michael%20Forst%20April%202011.pdf>

(2012, 29), ‘the possibility of observing the phenomenon, making it visible and measureable; [and] finally, the opportunity to resolve a social problem that finds no other solution.’

The IDP registration process ascribed new propertied identities to land occupants. This identity was based on data gathered about people’s (a) neighbourhoods of origin (i.e. where they would return to in Port-au-Prince) and (b) pre-earthquake land tenure status (to identify housing entitlements). This classification system, based on one’s previous spatial and property status in the urban order, gave rise to a housing approach that disregarded how one’s former position constituted a threat to his or her physical safety and economic well-being. Although the IDP registration was conducted by the IOM with donor support, the property-based approach it constructed was adopted widely by other humanitarian organisations.

From this point on, humanitarian policy-making departed from statistical knowledge gathered to correct and eliminate the abnormalities of land occupation. From a managerial perspective, singling out former property owners as housing beneficiaries proved the quickest method for reducing the number of housing claimants, which was a step toward emptying post-earthquake settlements. In 2010, however, property owners comprised less than 50% of the population in settlements (IOM, 2010).

It is important to emphasise that this decision did not result from an assessment of social needs or the input of settlement-based populations, both of which are required by humanitarian codes of conduct. Instead, this decision reflected the interaction between managerial requirements, state-humanitarian goals, and normative prescriptions. In terms of the latter, the prioritisation of housing aid to former property owners was justified because it spoke to the normative framing of IDP populations as people forced to flee *from their homes* – they had a place to call home in the first place. Accordingly, people with formerly registered property rights (or clear possession rights) became easily distinguishable rights-holders in relation to the legal framework guiding humanitarian action. Property owners displaced by the earthquake were, as some humanitarian staff phrased it, the ‘low-hanging fruit’.¹¹⁷ Moreover, humanitarian organisations could make a logical connection between stereotypical ideas of property owners and their preferred method of intervention – to *return* people to their original

¹¹⁷ Interviews with humanitarian officials 31 (Port-au-Prince, 4 November 2013) and 32 (Port-au-Prince, 9 August 2014).

homes and neighbourhoods of belonging. Since they were operating in a disaster context, and not a conflict one, organisations appreciated return as the least politically contentious solution for displacement victims under their care and management.¹¹⁸ Return home/property rights-based solutions allowed humanitarian organisations to comfortably practice aid without confronting hard questions of social-spatial justice and resource allocation.

The property-focused approach applied to post-earthquake settlements yielded broadly harmful effects. It fractured new communities of land occupants into the propertied and non-propertied, and shaped a discriminatory system of housing aid that favoured the former group. Translating these consequences into monetary figures, the 114,124 property owners helped under this approach received housing assistance in the form of transitional shelters (T-shelters),¹¹⁹ which cost approximately US\$4,226 per family.¹²⁰ Meanwhile, families with less secure forms of tenure received as little as US\$500 in the form of rental assistance. Although both propertied and property-less individuals suffered from the lack of a safe and decent home, property owners jumped ahead by receiving the means to rebuild homes.

The UN Special Rapporteur on Housing criticised aid disparities as a violation of international principles of non-discrimination and equality, and labelled hierarchies in aid assistance as incompatible with the progressive realisation of the right to housing for all.¹²¹ Moreover, this individualised approach to aid failed to address the wider disparities in land access underpinning critical housing shortages. The humanitarian approach, dismissed by the Special Rapporteur on Housing, ‘divert(ed) resources from the reconstruction of permanent housing and neighbourhoods.’¹²² Furthermore, human rights reports frequently called attention to the poor quality of housing being provided to homeowners. These homes only had a three- to five-year lifespan, meaning the temporary homes provided were detached from

¹¹⁸ Interviews with humanitarian officials 26 (Port-au-Prince, 27 March 2014) and 7 (Port-au-Prince, 21 April 2014).

¹¹⁹ Transitional shelters (T-shelters) were usually made of timber frames with corrugated metal roofs.

¹²⁰ The figures of transitional shelters provided by the international community are found in Amnesty International’s report ‘15 Minutes to Leave’ (p.17). The costs of different housing interventions were provided during interviews with humanitarian agencies.

¹²¹ UN Human Rights Council. Note by the Secretary-General on the Right to Adequate Housing: Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living (5 August 2011) UN doc. A/66/270, paragraph 54.

¹²² UN Human Rights Council. Note by the Secretary-General on the Right to Adequate Housing: Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living (5 August 2011) UN doc. A/66/270, paragraph 54.

long-range housing needs and strategies (Amnesty, 2015a). Essentially, humanitarian organisations operated to take the pressure off the Haitian government to come up with a long-term plan to address acute urban housing problems.

To make matters worse, property owners faced strict organisational requirements to qualify for housing assistance. To meet selection criteria, property owners needed to show a high degree of legal proof of ownership that was inconsistent with the informal nature of Haiti's property system. Some homeowners were barred from receiving housing assistance if their former homes were located in areas unauthorised for construction. My research identified three cases in which former property owners were excluded from housing programmes because their homes had received a red tag¹²³ during the government's structural building assessment. This meant their home required significant structural repair. Additionally, the homes of these families, through no fault of their own, were located in areas deemed too dangerous for house construction. They were disqualified from housing packages for former property owners based on the fact that no organisation wanted to rebuild a home with a high level of expense and risk. The property status of these families was subsequently downgraded from propertied to non-propertied, which meant they faced losing their home and ownership status. Noting this trend, the International Democracy and Justice Institute for Haiti (IDJH) raised concerns that 64% of homes marked with a red tag were being re-occupied by earthquake victims without the requisite assistance to rebuild them.¹²⁴ This finding implied significant numbers of former property owners had returned to shelter that was potentially life-threatening due to a lack of alternatives that met their housing needs.

III.V Urban experimentation and technical strategies for improving land access

In the previous section, I mentioned that closing settlements was the primary goal of humanitarian organisations and that more than half of the population living in these settlements lacked land and housing to return to. Inevitably, humanitarian agencies were

¹²³ In 2010 the Ministry of Public Works, Transportation and Communications conducted a structural assessment of every home and building in the area affected by the earthquake. This led to the following colour coding: red (unsafe/serious structural damage), yellow (limited occupation/some structural damage), and green (safe/no structural damage).

¹²⁴ Center for Constitutional Rights, Institute for Justice & Democracy in Haiti, Bureau des Avocats Internationaux, International Human Rights Law Clinic at American University's Washington College of Law, and You.Me.We. Letter to the Inter-American Commission on Human Rights. 15 June 2011. Retrieved from <http://www.ijdh.org/wp-content/uploads/2011/06/Haiti-Precautionary-Measures-Update-to-IACHR-15-June-2011REDACTED.pdf>

forced to consider other housing strategies to achieve their goals once it became clear that assistance to property owners alone would not achieve the desired reductions in the size of camp populations. This prompted another humanitarian policy for Haitians without property rights, called “formalisation” (sometimes referred to as “camp regularisation” and “community integration” by different humanitarian organisations). This section considers the “formalisation” policy as another example of the depoliticised housing strategies aligned to state-humanitarian interests.

The general idea of the formalisation strategy was for humanitarian organisations to identify unused parcels of urban land that could be used to locate permanent housing, through interventions that ensure land tenure security, basic services, social protection mechanisms and housing.¹²⁵ Despite this definition, formalisation was an elastic concept interpreted and practiced differently by different organisations between 2010 and 2015. Formalisation could entail an organisation deciding to upgrade an existing settlement through the interventions listed above, or less commonly, could involve the identification of new land parcels for the construction of housing. Regardless of how it was implemented, interviewees generally agreed that formalisation was only an acceptable strategy when an existing settlement met the following criteria:¹²⁶

- (1) No land conflicts with the state or private claimants
- (2) Showed a viable route to securing legal land tenure
- (3) Government approval of organisational upgrades/permanent housing
- (4) Low density and land viability (i.e., no environmental risks)
- (5) Presence of a cohesive and peaceful community

These selection criteria made little sense given the historical context of state predation and elite land grabbing, coupled with the post-earthquake influx of capital that only escalated the material advantages of urban land control. The formalisation strategy therefore constituted another example of what Li (2011, 293) calls ‘rendering technical.’ This is to say, rather than confront political realities and injustices, humanitarian organisations charted a legal and technical method for making more housing available for some of the city’s poorest residents.

¹²⁵ IOM Draft Paper ‘Longer-Term Solutions to Displacement in Haiti: Exploring Community Integration as a Viable Approach’ obtained in July 2014.

¹²⁶ Interview with humanitarian official 4, Port-au-Prince, 26 June 2014.

Symbolically the formalisation strategy signified humanitarian attempts to undertake essential responsibilities abdicated by the Haitian state. Housing was an indispensable requirement for mitigating mass post-earthquake homelessness, and Haitian authorities refused to take any substantial measures corresponding to their legal and constitutional obligations to protect the right to housing.¹²⁷ Humanitarian attempts to clarify the state's vision for housing led to the conclusion that 'there was no clear roadmap on what to do for permanent housing in the urban setting, no model or process had been outlined, no vision or guidance was in view' (Amnesty, 2015a, p. 20). This is not entirely correct, as the Martelly government had unequivocally stated that *Haitians were responsible for their own housing*. The state's hands-off housing policy, released four years after the earthquake, championed self-recovery as the primary method for addressing the city's broken housing system.¹²⁸ These omissions were exacerbated by the common disappearances of state officials when their presence was required to authorise humanitarian housing projects. In many ways, the collapse of the IHRC, the reconstruction coordination body, made it easier for state officials to evade their responsibilities. While foreign donors lobbied for the creation of a state housing authority (UCLBP) to establish a focal point for humanitarian housing interventions, the limited mandate given to the UCLBP did not resolve the problems of state apathy and the institutional barriers obstructing better access to housing.¹²⁹ Humanitarian organisations provided an institutional arrangement whereby outside actors, with no concrete responsibilities to Haitians, could treat land access as a series of pet projects (or charity). In this way, the state could avoid engaging with access to land as a constituent element of realising rights to housing.

Against this political backdrop, it is not surprising that several international organisations seeking access to land for new homes and neighbourhoods, failed to deliver on their promised objectives. There are a number of reasons for this. First, while the idea to formally upgrade informal settlements as new housing sites might appear an appropriate strategy, the overarching motivation for pursuing it was innately connected to organisational

¹²⁷ According to Article 22 of the Haitian Constitution, Haitian citizens have the right to housing, although the scope and content of this right is vague and not in line with international standards (Amnesty 2013). Article 36-3 also provides for some limits on property rights by stating that: 'Ownership also entails obligations. Uses of Property cannot be contrary to the general interest.'

¹²⁸ Haiti's housing policy, the Politique nationale du logement et de l'habitat (PNLH), can be retrieved from: <https://reliefweb.int/report/haiti/politique-nationale-du-logement-et-de-l%E2%80%99habitat-pnlh-octobre-2013>

¹²⁹ Interview with humanitarian official 7, Port-au-Prince, 21 April 2014.

self-interests. For example, one paper outlining an organisation's strategy made it clear that humanitarian organisations were engaging with this approach precisely because it promised a new way to lower the number of claimants to humanitarian assistance. The paper read:

Despite recent progress made with returns programs as of late, the population decrease is now occurring at a slower pace compared to the decline witnessed last year and the first quarter of 2011. In fact, even with the most optimistic projection that camp populations decrease at the current rate of about 7% per two months, there would still be a caseload of about 313,921 [displaced people] by the end of 2012.¹³⁰

This affirms the detached and dehumanising ways that organisations were engaging with Haiti's homeless populations. It shows how organisations, supposedly acting in the name of displaced victims, based policy decisions on their own self-interests. The same document reinforces this point through another statement that makes humanitarian goals clear:

It is important to underline that the sum of our actions as the international community continue to be judged against the presence of camp resident IDPs.

These statements signalled the real possibility that organisations would abandon land-access problems if they could not demonstrate progress against the overriding goal of reducing population numbers in post-earthquake settlements.

Most organisations were unable to make their formalisation strategies work. The weakness in organisational strategies was in the legal and technical criteria for land-access projects. For a start, humanitarian organisations assumed that Haitian officials would cooperate with their innovative methods for providing housing and tenure security to extremely poor and insecure populations. This was far from the reality of the situation. Neither Haiti's political decision-makers nor its private landowning and business class wanted to cede land control to the urban masses. Class animosities and divisions are such that Haiti's small political-economic elite live in perpetual fear of the lower classes rising up and usurping their power and material advantages (see Hallward, 2007, pp. 3–4). This fear was heightened in the post-earthquake period, and was expressed by one government interviewee who stated that

¹³⁰ IOM Draft Paper, Providing Durable Solutions to IDP Camp Populations Through Camp Regularization and Community Integration, March 2012 obtained in March 2014.

the humanitarian-controlled camp system and formalisation strategy had provoked anxiety amongst the members of Haiti's ruling class. According to this official, state authorities were intent on limiting the success of land-access projects, because they had 'dangerously communicated to Haitian landowners that valuable urban land was at risk of being privatised by humanitarian agencies.'¹³¹ Essentially, humanitarian discourses and modes of assistance had incited a deep-seated fear that precarious populations might be empowered to consolidate control over urban land, and with it, political power.¹³² This fear underscored one reason why Haitian authorities were often inaccessible to humanitarian organisations or outright unwilling to approve their "formalisation" projects.

Humanitarian pursuit of a 'technical and legal fix' (Li, 2011) to land-access problems was incompatible with the rigidity of Haitian law and the complexities fostered by a weak and unclear system of land administration. Chapter Three showed how decades of political conflict and clientelistic land gifting had translated into a situation in which the Haitian state had little record of what land it or private individuals owned. Ultimately, the state's strategic avoidance of land conflicts was a way to maintain political stability amongst competing factions of elites (Etienne, 2012). For formalisation projects, this meant that humanitarian organisations and the Haitian lawyers they employed struggled to identify unused land parcels with registered title.

On top of this, Haiti's legal system severely challenged humanitarian requirements for legal tenure on land because of its rights hierarchies and exclusionary principles. Haitian law impedes the achievement of formal tenure security for land occupants (i.e., squatters). For land occupants to assert possession, they must demonstrate uninterrupted occupation for ten and twenty years based on the status of land occupied. After this, the claimant must go through a lengthy and expensive legal process to have their possession legally recognised.¹³³ Haitian

¹³¹ Interview with humanitarian official 6, Port-au-Prince, 21 April 2014.

¹³² Interview with humanitarian official 27, Port-au-Prince, 30 July 2014.

¹³³ The Haitian Civil Code defines possession as 'a relation between something and an individual by which this person has the possibility to accomplish personally or through a third party, actions which correspond to the exercise of a right whether this person is or is not entitled to this right.' Under Article 1997 of the Civil Code, a land occupant may assert possession when the following two elements are demonstrated: a) seizure and occupation of a property and b) the action of, and the quiet, continuous, public and unequivocal enjoyment of the property by the possessor. Possessors acting in good faith may have their possession considered after 10 years if the real owner lives in Haiti, and 20 years if the owner does not. See the Property Law Working Group.

property law also bars land occupants from accessing ownership or possession rights on certain categories of state-owned land (again showing how some land occupants could be immediately excluded from humanitarian housing projects).¹³⁴

Furthermore, Haitian law also makes the expropriation of urban land for social housing extremely difficult and expensive. The law requires a high degree of state involvement in the process of expropriation. To expropriate land, the state must demonstrate it has established a formal housing project on expropriated land, and if it cannot show this, it must return the land to its original owner.¹³⁵ Additionally, the state can only expropriate land and compensate owners if the landowner in question can produce legal title. Again, the country's lax system of land administration and titling means that much land is held informally without the requisite legal documentation, making it difficult for the state to identify owners and legally expropriate. Due to these legal complexities, many settlement occupants were automatically disqualified as potential candidates from humanitarian land-access projects.

Formalisation projects were ultimately linked to the reputational needs of organisations to showcase their organisational expertise – their material motivations for engaging in crisis contexts. As a rule, humanitarian organisations shied away from any project, including housing, that posed a risk to organisational reputations (see Levine et al., 2012). Organisational aims, explained by one humanitarian interviewee, were centred around the desire to produce 'comprehensive, gold-plated housing solutions that would never be criticised by the New York Times.'¹³⁶ Again, this pressure to build high-quality housing that met international standards for safe, legal, and adequate housing did not square with the messy realities on the ground, marked by widespread land informality, land fraud and corruption, and

2016. *Securing Land Rights in Haiti: A Practical Guide*. Habitat for Humanity. Retrieved from <http://box5436.temp.domains/~landlaws/wp-content/uploads/2017/01/Haiti-Land-Manual-2-English.pdf>.

¹³⁴ According to Articles 444 and 576 of the Haitian Civil Code and Article 3 of the Decree of September 22, 1964.

¹³⁵ The *Loi du 5 septembre 1979 sur l'expropriation pour cause d'utilité publique* (September 5 1979 Law for the Expropriation for Public Utility) authorizes the Prime Minister to expropriate private property by order or decree in cases of 'extreme urgency,' including the need for public housing (IFRC, 2014). The law, which is still in place, establishes legal precedent for certain criteria that state expropriations must fulfill. Most important is that state expropriations can only occur 'for the purpose of carrying out works of general interest' (Article 1: September 5 1979 Law for the Expropriation for Public Utility).

¹³⁶ Interview with humanitarian official/housing expert 40, Port-au-Prince, 1 August 2014.

the scarcity of financial resources vis-à-vis actual housing needs. How these risk factors shaped organisational anxieties is apparent in an aid worker's self-critique:

Our problem was, if we were going to build a housing, then it needed to be on land that was legally titled so we wouldn't be accused of putting people at risk. Then, the house should be given for free, which was costly, because it needed to have running water and sanitation. Only if you satisfy all of these criteria are you [an organisation] blameless. But realistically, we didn't have what it took to provide housing to half a million people.¹³⁷

The sensitivity to reputational concerns turned housing and land-access projects into a series of risk calculations, often leading to inaction. Although organisations had claimed their superiority over Haitians to provide housing and raised funding on this promise, their risk-averse behaviours systematically steered them away from helping the people most in need of housing. Put differently, organisational risk calculations incentivised disengagement from the quasi-state responsibilities that humanitarian organisations had enthusiastically assumed at the beginning of the disaster response. Perverse incentives arose for avoiding complex situations and engaging in projects that promised a high likelihood for success, as highlighted by one aid worker:

If I look at how we are behaving, we [humanitarian organisations] are all cowboys just running into the wild west, just grabbing our stake, grabbing our set of beneficiaries. This is because an organisation can only be held responsible for whatever it puts its fence around at the very beginning. That way, you are not responsible for anything that happens outside of your beneficiaries. If you're smart, what you do is you go in and you pick the smallest group in the world. You create a blameless, fabulous housing intervention where everybody says it's wonderful. This works because there is no discussion how we as a humanitarian collective are failing. Every time we intervene in someone's life, we are excluding more and more people who are going to get absolutely nothing because their situation is too difficult.¹³⁸

To understand how these processes operated consider the following case, identified during fieldwork, of a large international NGO attempting to build formal housing by relying on the legalistic, state-centric, and risk-averse approaches to housing discussed above. In this

¹³⁷ Interview with humanitarian official 3, London, 9 June 2014.

¹³⁸ Interview with humanitarian official 3, London, 9 June 2014.

case, the humanitarian organisation had first engaged with the eighty families living in a small settlement. After determining this group to be a “nice and cohesive” group of IDPs, the organisation secured donor funding to build them permanent housing. The organisation’s first act was to hire a Haitian lawyer to conduct legal research into the status of the occupied land. Simultaneously, the organisation consulted the municipal authorities in their area to receive authorisation for a new housing project. Although the lawyer’s research showed the lack of registered title for the land in question, his research and the organisation’s engagement with local authorities had tipped off powerful landowners to the organisation’s intentions. Consequently, one well-known Haitian landowner invoked his rights to the land and produced title documents that the organisation’s staff presumed to be forged because of the overwhelming lack of evidence to validate the claim. Yet, despite the obvious falsity of the claim, the organisation dropped the housing project rather than assist the land occupants to fight the claim. The organisation rationalised their reasons for doing so, based on their perceptions of reputational risk and their unwillingness to engage in local land politics. This is made clear by the narration of events by the organisation’s representative:

The key reason that building permanent homes was so difficult was that Haitian landowners always showed up with vague legal documents every time they smelled an international housing project. Self-proclaimed landowners were always from one of the seven most powerful families in Haiti, who would go straight to the mayor’s office and state their claim. In our case, the mayor, who had authorized our housing project, was facing elections and did not want to solve the problem. The Prime Minister’s office also refused to help, saying it was *our* project and telling us to take the issue to court. But going to court wasn’t an option for us as an international organisation. It would be time-consuming and outside our timeframe and mandate. It was a risk we were not willing to take. We also did not want to be seen to be getting involved in political issues, so we told the people we could no longer deliver housing for them. We later had heard that the population had been evicted.¹³⁹

This case is similar to other failed land-access projects identified during my fieldwork. In all of the cases recorded, organisational actions and inactions revealed the strong tendency to abandon land claimants in the face of alternative claims of the Haitian state and landed elite

¹³⁹ Interview with humanitarian official 47, Port-au-Prince, 17 June 2014.

to occupied land. When this happened, land occupants who had been made visible by systems of aid were usually rendered more vulnerable to violent outcomes, particularly in the form of evictions. It is important to reiterate that humanitarian harm production in these cases related to two distinct outcomes. The first is that organisations failed to meet their normative responsibilities and the expectations placed on them despite their claims of expertise and control of aid resources. In the end, donors such as USAID, working through humanitarian organisations and private contracts, would fund only 2,649 of the 15,000 houses it promised, which is approximately 0.007% of the total number of houses needed.¹⁴⁰ The second is that the organisational behaviours in land-access projects often increased the likelihood of re-victimisation. Essentially, humanitarian practices related to land access and new house construction were responsible for intensifying the forces of violence against the vulnerable landless.

IV. Conclusion: Linking Disaster Capitalism and Humanitarian Institutional Violence

This chapter presented my findings on the practices, processes, and logics of humanitarian aid during Haitian reconstruction. I began by exposing state goals for disaster accumulation, relying on Klein's (2009) insights of disaster capitalism. I outlined the institutional arrangements imposed on Haiti after the earthquake to achieve both short-term goals – state-corporate profiteering – and longer-term objectives of restructuring the Haitian economy to achieve optimal conditions for appropriation of Haiti's land and labour. I also considered the World Bank's role in implementing a post-disaster needs assessment without local participation, and later reframing neoliberal economic policies as the solution to disaster reconstruction.

The key argument made in this chapter is that humanitarian organisations supplied an institutional framework for working within the limits of disaster capitalism. Foreign donors and the Haitian state were able to rely on humanitarian organisations to treat population problems created by the earthquake in ways that enforced limitations to humanitarian assistance and obscured local demands for more equitable allocation of Port-au-Prince's land

¹⁴⁰ Charles, J., Building permanent housing remains Haiti's biggest challenge following the 2010 earthquake, 10 January 2015, Miami Herald, Retrieved from: <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article5956041.html>

resources. From the beginning, humanitarian organisations functioned to legitimise the reproduction of harmful state policies in post-earthquake Haiti by disseminating state-led discourses suggesting harmonised goals between Haitians, states, and international institutions to Build Back Better. Yet, underneath international pledges to transform the urban space into something better operated the more injurious moves of states and corporations to redirect reconstruction funds toward profitmaking institutions and enact legal and political changes necessary for Haiti's incorporation into global markets – despite historical evidence showing social harms caused by such policies.

The chapter also interrogated the normative and state-centric logics guiding humanitarian practices, and also the competing logics of humanitarian and development ideologies. Humanitarians demonstrated a clear preference to assist populations who had the least complex housing situation, and drew from their prescribed methods and toolbox of solutions to address displacement problems. Their labelling, surveillance, and data collection methods reworked the understanding of conditions on the ground and justified expert-led approaches to the problems of populations targeted and determined worthy of humanitarian interventions. Meanwhile, Haitians with different ideas and priorities for reconstruction were marginalised from decision-making processes led by humanitarian organisations. These power relations, brought to the field of post-earthquake land conflicts, worked against the interests of landless urban residents.

The chapter emphasised several harmful outcomes of state-humanitarian power relations. First and foremost, the chapter revealed patterns of aid discrimination resulting from the interpretation of IDP norms in ways that fit managerial interests. The chapter problematized technical and legalistic aid approaches centring on the return or “rooting” of individuals or groups of individuals. These approaches invariably negated broader public conversations about state responsibilities and the distributive inequalities underpinning harmful living conditions. Consequently, the Haitian state benefitted enormously from a humanitarian aid sector's disinterest in questions of urban justice and their tendency to administer populations in ways that restored the pre-existing urban order. The disengagement of risk-averse organisations from land-access projects that confronted state-elite interests

constitutes an important example of humanitarian complicity in state omissions to designate land and coordinate a plan for social housing in post-earthquake environments.

This chapter concludes that the harms of land dispossession produced by humanitarian organisations outlined above, should be characterised as institutional violence. One of the purposes of this chapter was to identify different claims-making processes on unused parcels of urban land after the earthquake. The data presented in this section revealed that patterns of earthquake displacement also represented patterns of land occupation. This understanding is important for grasping the impact of humanitarian decisions. Institutional violence, we are reminded by Cooper and Whyte (2017, 2), ‘involves the targeting of subject groups and populations in ways that reproduce and increase the likelihood of other, ongoing, violent circumstances occurring.’ Applying this definition, I argue in the previous section on formalisation, that humanitarian projects built on securing *legal* access to land and building *formal* tenure for land occupants often had the effect of making clandestine squatters visible to harmful power structures, thereby exposing them to threats of eviction. Another way of grasping the implications of these decisions is that they disrupted people’s occupation strategies. In other words, people may have extended their tenure security through quieter and clandestine forms of building (see also Levine et al., 2012). Had land occupants been left alone and not been the target of humanitarian programmes and legalistic methods, they may have increased their chances for tenure security over the long run, according to the ways that Port-au-Prince residents have traditionally built up their tenure security in Haiti. We recall how earthquake displacement brought together large groups of people who were somewhat better placed to defend the land they had occupied. Speaking to this potential outcome, and the dispossessing elements of humanitarian practices, one urban planner commented:

Humanitarian organisations were completely preoccupied with legality and risk. But their behaviour doesn’t make sense because if you look around many Haitian communities are informal and build their tenure status over decades of incremental building. International organisations were too concerned with respecting regulations and standards rather than seeing how they could help squatters use the situation to their advantage. I believe this was related to organisational politics of neutrality and aid competition more than anything else.¹⁴¹

¹⁴¹ Interview with humanitarian official/housing expert, 35, London, 10 June 2014.

In the following chapter, we move ahead in our analysis of humanitarian behaviour to explore more concrete and deliberate forms of humanitarian wrongdoing.

Chapter Five

Forced Evictions and Involuntary “Returns” as State-Humanitarian Crime

In Chapter Four, I demonstrated that land was bound to emerge as an issue of social conflict between Haiti’s excluded majority and the political-business elite. Displaced disaster victims housed in informal settlements used various tactics to demand that their land and housing needs be considered during the reconstruction process. The Haitian state, however, had no intention of designating land for new urban housing or recognising the claims of disaster victims.

This chapter elaborates on these social conflicts by taking a closer look at the role of humanitarian organisations in enforcing exclusive property rights. I do this by going beyond the unintended consequences of humanitarian decision-making and acts that facilitated the dispossession of land claimants. In the previous chapter, we saw that even though certain humanitarian practices increased the vulnerability of earthquake victims to harm and re-victimisation, these practices did not fit descriptions of deviant behaviour according to the criminological definitions offered at the beginning of this thesis.

This chapter, however, delves deeper into questions of organisational deviance. It identifies specific humanitarian practices that clearly fall within the state-crime framework. The practices identified relate to two key decisions taken by humanitarian organisations, which I argue were designed to expel the poor and landless from post-earthquake settlements without the provision of viable alternative housing. I show how these policy decisions were made in

the name of “protecting” illegal land occupants from inevitable violence against them, and restoring Port-au-Prince to its “natural” order. The human rights violations that result from humanitarian-led population expulsions, which I argue are intentional and linked to deviant organisational goals, is key to categorising these practices as state-humanitarian crime. Chapter Six extends this picture of state-humanitarian crime by exploring the social reactions of earthquake victims to state and humanitarian actors who carried out land expulsions and suppressed alternative land claims.

I. Organisational Pressures for Goal Attainment

When humanitarian organisations re-categorised Haiti’s post-earthquake settlements as IDP camps and brought them under their architecture of camp management, they assumed state responsibilities for providing settlement and housing solutions to nearly a million disaster victims. These responsibilities, however, were at odds with the resources provided by foreign donors primarily interested in exploiting Haiti’s reconstruction process for their own ends. Aid organisations were further hampered in their ability to achieve their objectives because of their strict adherence to so-called apolitical action, their deference to state authority, and their predisposition to risk-free land access and housing projects. Meanwhile, donor governments and the media exerted significant pressure on organisations to solve the problem of mass displacement. IOM, the lead agency for coordinating Haiti’s camps, and its partner organisations comprising the UN camp management and coordination cluster, received sharp criticism from the media and watchdog groups for the poor and unsanitary living conditions in IDP camps and for failing to quickly move people from camps into permanent homes.¹⁴² Organisations that had assumed camp management responsibilities as well as the responsibility to find housing and settlement options for earthquake victims, were the most susceptible to media criticism and reputational damage, which they saw as jeopardising future donor funding.¹⁴³

¹⁴² See BBC, UN condemned over appalling Haiti earthquake camps, 7 October 2010. Accessed on 10 December 2018. Available at <https://www.bbc.co.uk/news/world-latin-america-11491537>

¹⁴³ Participant observation of humanitarian coordination meeting involving representatives of 10 humanitarian organisations, Port-au-Prince, 14 May 2014.

Disturbing numbers of forced evictions carried out by state officials and private individuals in 2010 and 2011 increased the pressure on humanitarian organisations to address physical violence directed at land occupants. Mass forced evictions heightened media scrutiny of humanitarian organisations who were responsible for the protection of camp occupants and the resolution of their vulnerable displacement situation. When the Martelly government assumed power in 2011, it made clear its desire to close tented settlements as quickly as possible and restore the urban environment. Port-au-Prince could not claim to be open for business while tented informal settlements remained in the city. In addition, informal settlements were a powerful reminder of state negligence and omission to provide housing for its people. As a Haitian academic stressed: ‘the continued existence of these places provided a daily reminder to the state of the nation’s social cleavages and its failure to tackle rampant homelessness.’¹⁴⁴

International donors also expected humanitarian organisations to meet their ‘deliverables’ in terms of housing/shelter provision and reduce officially recorded numbers of people entitled to humanitarian assistance. Donors relayed their fears that humanitarian aid was creating dependency, signalling an expiration date for humanitarian funding. However, for reasons mentioned in the previous chapter, few humanitarian organisations actually succeeded in achieving their deliverables – creating land access for new housing to end the camp-based internal displacement situation. Despite international claims to have built hundreds of thousands of homes for Haitians, only 37,000 were actually built,¹⁴⁵ a tiny fraction of the half million required. Without improved housing or economic conditions, land occupants were reluctant to leave informal settlements, and as mentioned, some wanted to turn their land control into permanent housing.

Data from July 2011 highlights the population problems faced by humanitarian organisations desiring to show success by reducing IDP numbers and closing settlements. Eighteen months after the earthquake, 594,811 people still lived in 894 informal settlements (IOM, 2011a). As described in Chapter Four, humanitarian policies first focused on providing housing support to former property owners. By 2011, this focus had led to a drastic reduction

¹⁴⁴ Interview with Haitian academic, Port-au-Prince, 10 July 2014.

¹⁴⁵ See Amnesty International. 2015. Ten Facts about Haiti’s Housing Crisis. Available at <https://www.amnesty.org/en/latest/news/2015/01/ten-facts-about-haiti-s-housing-crisis/>

in the number of former property owners requiring housing assistance. But at the same time, it signalled the end of a clear-cut solution to a segment of the population (property owners) with less complex housing needs in comparison with the population comprised of former renters and squatters. In July 2011, for example, the number of former property owners residing in post-earthquake settlements had decreased to only 10% of the total settlement population. Correspondingly, the number of former tenants, squatters, and other categories of placeless people jumped at this time from 60% to 78% of the total population living in post-earthquake settlements (IOM, 2011a). The state's unwillingness to specify a plan for rehousing this population or designate land for this task further impeded the fulfilment of humanitarian responsibilities. I will now discuss how these factors combined and shaped organisational behaviours toward earthquake victims.

II. Humanitarian Complicity in Forced Evictions

This section explores the complicity of humanitarian organisations in forced evictions carried out by state authorities and private individuals of Haiti's elite class. Recalling the introductory chapter of this thesis, forced evictions constitute state crime according to both legalistic and deviance-based definitions due to their violations of human rights and their frequent labelling as crime by civil society. During reconstruction, forced evictions from post-earthquake settlements was the most common method used by the state elite to retake land control. Humanitarian data suggests that *at least* 60,570 people living in 176 post-earthquake settlements were victims of mass forced evictions from 2010 to 2015 (IOM, 2015). These evictions obliterated informal settlements and left the former occupants homelessness.

The number of forced evictions in this time frame is likely higher than what was reported by official data. My interviews with local and international civil society raised credibility issues with humanitarian population tracking systems (the DTM – or Displacement Tracking Matrix). For example, there was a tendency to exclude evictions where only part of the population was evicted from the post-earthquake settlement.¹⁴⁶ Interviewees suggested that humanitarian agencies had a vested interest in keeping eviction numbers low to deflect international criticism about their failure to protect vulnerable people. Some research suggests

¹⁴⁶ Interviews with housing activists 1,2, 3, Port-au-Prince, 24 April 2014 and international human rights activists 2 and 4 London, 28 October 2014.

nearly one-third of the total population living in post-earthquake settlements (labelled as IDPs) were forcibly evicted between 2010 and 2011 (Ferris & Ribeiro, 2012).

Of particular concern, the official record of evictions excluded instances in which entire populations or settlements simply disappeared without explanation. In official reports, these were ambiguously classified as spontaneous returns. Local and international housing activists protested that many people in the “spontaneous-return” category were in fact victims of forced evictions.¹⁴⁷ The misreporting of the true nature of the circumstances could be attributed to the displaced camp occupant’s lack of visibility and the absence of any investigation into their disappearances. This perfectly illustrates the plight of Haiti’s invisible and disposable surplus populations.

Most illegal evictions were initiated by private citizens and facilitated by state inaction and indifference (Amnesty, 2013; Calhan, 2014). Usually, they were carried out by hired criminal gangs and paramilitary groups trained by previous authoritarian regimes. Elite landowners with state ties frequently engaged state institutions, including the police and members of the judiciary, in their campaigns to terrorise, intimidate and violently expel land occupants without warning (Amnesty, 2013, 2015). When a mass of occupants resisted eviction, private landowners resorted to a range of coercive and violent tactics, such as starting night-time fires at the edge of settlements or blocking land occupants’ access to water and other basic services.¹⁴⁸ The methods used to effect forced evictions ranged from violations of due process, to rape, murder, physical assault, and destruction of homes and property, as more serious crimes committed during evictions processes (Amnesty, 2013). Very few forced evictions were mediated through the legal process – private landowners did not bother to obtain eviction orders required under Haitian law.

Earthquake victims occupying state-owned or state-controlled land were vulnerable to evictions carried out by state police trained in repressive tactics. The evictions executed by

¹⁴⁷ Interviews with housing activists 1,2, 3, Port-au-Prince, 24 April 2014 and international human rights activists 2 and 4 London, 28 October 2014. Interviewees identified one particular case where illegally evicted people had been alternatively classified as a “spontaneous return” by IOM’s Displacement Tracking Matrix because this group had received some financial assistance from an NGO *after* their eviction.

¹⁴⁸ T. Padgett and J. Desvarieux, *Evicting Haiti’s Homeless: How Land Tenure Hampers Recovery*. Time Magazine, 23 September 2010. Retrieved from <http://content.time.com/time/world/article/0,8599,2021206,00.html>

Mayor Wilson Jeudy, in the established neighbourhood of Delmas Commune, are examples of this type of state criminality. In May 2011, Mayor Jeudy's street brigade (a 75-member team called BRICOR) attacked informal settlements with machetes, batons, and guns, resulting in the expulsion of 1,000 people in two days.¹⁴⁹ Shots fired at the tented community seriously wounded at least one person.¹⁵⁰ The national government did not condemn Jeudy's known acts of violence directed at earthquake victims. The mayor was motivated by the goals of both accumulation and the desire to punish unauthorised squatting. Land occupants stated that he told them they were being punished for failing to pay rent to the municipality for their residency on state land.¹⁵¹ There is little question that Mayor Jeudy's eviction of thousands of people in a span of days was facilitated by long-term U.S. financial support and training of Haiti's police. Video evidence and statements from a private U.S. security firm, Risks Incorporated, strongly implicate the U.S. government in paying for the training of BRICOR in abusive population control tactics just months before the earthquake.¹⁵²

Both private and state-led evictions were widely condemned by foreign governments, the UN Humanitarian Coordinator, and international institutions and housing activists. The strongest response came from a group of domestic and international housing activists,¹⁵³ who collectively filed a petition against the Haitian government at the Inter-American Commission on Human Rights. The Commission's ruling provided binding instructions to the Haitian

¹⁴⁹ Center for Constitutional Rights, Institute for Justice & Democracy in Haiti, Bureau des Avocats Internationaux, International Human Rights Law Clinic at American University's Washington College of Law, and You.Me.We.. Letter to the Inter-American Commission on Human Rights. 15 June 2011. Retrieved from <http://www.ijdh.org/wp-content/uploads/2011/06/Haiti-Precautionary-Measures-Update-to-IACHR-15-June-2011REDACTED.pdf>

See also Herz, A. Torture Firm Risks Incorporated Tied To Destructive Evictions in Haiti. Narco News Bulletin, 29 May 2011. Retrieved from <https://www.narconews.com/Issue67/article4435.html>

¹⁵⁰ M. Miles, Violent Forced Evictions in Delmas: Is this the Change President Martelly Promised? Haiti Liberte, 25 May 2011. Retrieved from <http://www.haiti-liberte.com/archives/volume4-45/Is%20This%20the%20Change%20President.asp>

¹⁵¹ Center for Constitutional Rights, Institute for Justice & Democracy in Haiti, Bureau des Avocats Internationaux, International Human Rights Law Clinic at American University's Washington College of Law, and You.Me.We.. Letter to the Inter-American Commission on Human Rights. 15 June 2011. Retrieved from <http://www.ijdh.org/wp-content/uploads/2011/06/Haiti-Precautionary-Measures-Update-to-IACHR-15-June-2011REDACTED.pdf>

¹⁵² A. Herz, Torture Firm Risks Incorporated Tied To Destructive Evictions in Haiti. Narco News Bulletin, 29 May 2011. Retrieved from <https://www.narconews.com/Issue67/article4435.html>

¹⁵³ The team consisted of the Bureau des Avocats Internationaux (BAI), Institute for Justice & Democracy in Haiti (IJDH), You. Me. We., the Center for Constitutional Rights (CCR), and the International Human Rights Law Clinic at American University's Washington College of Law.

government to prevent and remedy unlawful evictions and report on its progress. In response to international shaming, state officials up to the level of the prime minister voiced concern over illegal evictions.¹⁵⁴ The government nevertheless continued to shirk its obligations to protect citizens from violent and extrajudicial evictions, thus creating a permissive environment for local authorities and private landowners to continue.¹⁵⁵ State authorities instructed the courts to stay eviction orders with full knowledge that most evictions were implemented without judicial authorisation. State authorities also failed to investigate or sanction a single forced eviction during reconstruction (Amnesty, 2015a, pp. 27–28).

The UN-led humanitarian architecture in Haiti did not participate in the transitional civil society response mentioned above. Their approach relied on expressing public concern about violence directed at IDPs and the human rights implications of forced evictions. Their rhetoric focused on individual cases of violence and not system-wide barriers to the provision of adequate and affordable housing. Top UN officials urged the Haitian state to respect IDP norms, which required state officials to prevent forced evictions from post-earthquake settlements until conditions for safe and dignified conditions for return could be met.¹⁵⁶ The humanitarian messaging on forced evictions was important, because it effectively called for the state to exercise compassion for the special circumstances of displacement and land occupation of people on other people's property. Speaking on behalf of the entire humanitarian community, the UN did not mention land injustices and unsustainable patterns of land control that prevented the construction of adequate housing for displaced people.¹⁵⁷

¹⁵⁸ This played a role in legitimising elite land claims.¹⁵⁹

¹⁵⁴ Interview with humanitarian official 7, Port-au-Prince, Haiti, 21 April 2014.

¹⁵⁵ Nicole Phillips, Kathleen Bergin, Jennifer Goldsmith, Laura Carr. "Enforcing Remedies from the Inter-American Commission on Human Rights: Forced Evictions and Post-Earthquake Haiti." Human Rights Brief 19, no. 1 (2011): 13–18. Retrieved from <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?referer=https://www.google.co.uk/&httpsredir=1&article=1781&context=hrbrief>

¹⁵⁶ Jamaica Observer. UN concerned about forcible eviction of quake survivors. 13 September 2011. Retrieved from <http://www.jamaicaobserver.com/news/UN-concerned-at-forcible-evictions-of-quake-survivors->

¹⁵⁷ D. Sontag, In Haiti, Rising Call for the Displaced to Go Away. New York Times, 4 October 2010. Retrieved from <https://www.nytimes.com/2010/10/05/world/americas/05haiti.html>

¹⁵⁸ D. Sontag, In Haiti, Rising Call for the Displaced to Go Away. New York Times, 4 October 2010. Retrieved from <https://www.nytimes.com/2010/10/05/world/americas/05haiti.html>

¹⁵⁹ Office of the Resident and Humanitarian Coordinator in Haiti. The humanitarian community concerned about growing incidents of forced evictions. Press Release, 8 March 2013. Retrieved from <http://www.ijdh.org/2013/03/topics/housing/press-release-the-humanitarian-community-concerned-about-growing-incidents-of-forced-evictions/>

The criminal conduct of state authorities had little to no effect on humanitarian partnerships with the state in the management of disaster victims and delivery of services. The humanitarian organisations' indifference to forced evictions was evident in their limited censure of state authorities and continued day-to-day engagement with them. Against the backdrop of state-sponsored evictions, humanitarian organisations continued to train Haiti's Civil Protection Agency (DPC). These trainings constituted an exit strategy for humanitarian organisations who hoped to eventually hand over camp governance to Haitian authorities.¹⁶⁰ When evictions appeared imminent in post-earthquake camps/settlements, humanitarian organisations were accused of deliberately avoiding and abdicating their protection responsibilities. A housing rights advocacy group, called Under Tents Haiti, strongly criticised humanitarian organisations for their unwillingness to censure state authorities or show solidarity with residents when they were about to be evicted. In one particular eviction, international housing activists called the IOM, the humanitarian organisation responsible for camp management of a particular settlement, to warn them of an impending eviction and requested their support to protect the population. According to this representative, the IOM stated they could not intervene due to the risk to their operations if their actions aggravated state authorities.¹⁶¹

Beyond their inaction and silence as forms of complicity with state-initiated and state-facilitated evictions, humanitarian operations were seen by some as benefitting from evictions. Forced evictions indirectly contributed to humanitarian goals to close all informal settlements and reduce IDP population numbers. Although some might read this as a cynical view of humanitarianism that ignores the good deeds done for populations, there is evidence to support this claim. Regularly issued Displacement Tracking Matrix (DTM) reports tended to report evictions in the highlights section of reports with graphs showing the successful, downward trend in the total number of displaced people.¹⁶² The reports did little to distinguish

See also UN Office for the Coordination of Humanitarian Affairs. The Humanitarian Coordinator in Haiti "gravely concerned" at continuing forced evictions of IDPs. Press Release, 10 January 2013. Retrieved from <https://reliefweb.int/report/haiti/humanitarian-coordinator-haiti-gravely-concerned-continuing-forced-evictions-idps>

¹⁶⁰ Interviews with humanitarian officials 25 and 55, Port-au-Prince, 10 April 2014.

¹⁶¹ Interview with international housing activist, Port-au-Prince, 6 April 2014.

¹⁶² See IOM's DTM reports from Haiti. Retrieved from <https://www.globaldtm.info/haiti/>

the harms caused by evictions; rather they discussed evictions in terms of how many camps (informal settlements) “remained open.”¹⁶³

Further evidence of the humanitarian organisations’ indifference to evictions is the limited attempt to identify evicted populations and put them back on official beneficiary lists. When asked if this identification process was possible or desirable to prevent the exclusion of evicted populations from future housing programmes, organisations responded that such measures would be a logistical nightmare.¹⁶⁴ As one interviewee put it, the humanitarian system was already overloaded and chasing the housing needs and entitlements of evicted people was opening Pandora’s box.¹⁶⁵ The desire to perpetuate the invisibility of evicted populations, in pursuit of managerial goals and against normative standards on displacement, is a deliberate form of humanitarian complicity in vanishing victims (see Polzer & Hammond, 2008, p. 425).

My fieldwork also revealed hidden biases against the poor that played a role in humanitarian silence on forced evictions as state crimes. Critics have commented on the close ties and common perspectives that developed between a professional class of humanitarian personnel, foreign diplomats, and Haiti’s political and business elite due to their frequent interactions in Port-au-Prince’s exclusive restaurants, clubs, and international conferences (see Hallward, 2010; Schuller, 2009). In some instances, humanitarian staff laid bare their class position and power by positively evaluating the land control outcomes desired by Haiti’s political elite and by airing their political judgements against “IDP squatters.” We find different degrees of bias against the poor amongst interviewees and the impact of these biases on humanitarian actions. For example, the following excerpt from an Oxfam report shows rationalisation of the violent acts of private landowners:

...property owners are concerned about losing their land. These *land-abiding* landowners do not want to start legal proceedings against the occupants, since these would be both lengthy and expensive, but the government has not given them any guarantees as to how long the IDPs will remain, let alone any compensation for their generosity

¹⁶³ To give an example, the DTM report from July 2011 reads: “107 sites that have closed since the last assessment period, 27 reported being closed as a result of evictions.” Retrieved from <https://www.globaldtm.info/haiti/>

¹⁶⁴ This view was expressed by representatives of the eight largest NGOs and intergovernmental organisations directly involved in camp management at a humanitarian coordination meeting in Port-au-Prince on 14 May 2014.

¹⁶⁵ Interviews with humanitarian officials 20 (29 July 2014), 21 (22 October 2013), 32 (9 August 2014), Port-au-Prince.

(emphasis added). Unfortunately, some landowners have started taking matters into their own hands and are responsible for illegal evictions using violence, intimidation and other means to make IDPs leave.¹⁶⁶

This statement seems to excuse eviction violence by conveying a “natural state” of Haiti’s pre-earthquake property relations. It negates the context of structural violence and state criminality that produced mass displacement and land occupations as outcomes of the earthquake, while obscuring the acts of fraud, theft, violence, and corruption behind patterns of land ownership (see Hallward, 2007).

These biases were also evident in interviews with some humanitarian personnel in charge of day-to-day operations and decision-making. Frequently, humanitarians stigmatised land occupants (people without alternative housing) as people responsible for harming Haiti’s urban development and the economic activities of productive social groups.¹⁶⁷ Lower-class Haitians were sometimes even blamed for poorly constructed buildings and for building wherever they wanted, as if their land occupying behaviours reflected a combination of stupidity and disregard for law and order.¹⁶⁸ One instructive example of the inherent bias of aid workers against the landless poor came from an individual whose job it was to develop strategies to protect displaced people. Although the aid worker was responsible for developing policies to protect camp-based populations from evictions, she openly aired her belief that Haitian landowners were being ‘unfairly constructed as the devil for wanting to get rid of squatters in order to make money with their land.’¹⁶⁹ Her sentiments were not unique and were shared by other organisations. Another aid worker claimed that people who were squatting on private land ‘just wanted to be bought out and make money from the chaotic disaster situation.’¹⁷⁰

¹⁶⁶ Oxfam. Salt in the Wound: The Urgent Need to Prevent Forced Evictions from Camps in Haiti. Oxfam Briefing Note, 10 December 2012, p. 7. Available at <https://reliefweb.int/sites/reliefweb.int/files/resources/Salt%20in%20the%20Wound%20The%20urgent%20need%20to%20prevent%20forced%20evictions%20from%20camps%20in%20Haiti.pdf>

¹⁶⁷ Interviews with humanitarian officials 5 (10 April 2014), 10 (26 January 2014), 20 (29 July 2014), 24 (29 July 2014), 2036 (3 July 2014), Port-au-Prince.

¹⁶⁸ Interviews with humanitarian official 17, (22 October 2013) and 24 (29 July 2014), Port-au-Prince.

¹⁶⁹ Interview with humanitarian official 55, Port-au-Prince, 10 April 2014.

¹⁷⁰ Interview with humanitarian official 5, Port-au-Prince, 10 April 2014.

Routine personal contact between humanitarians and affluent landowners was a key element in cohering opinions between the two groups – and the same can be said between humanitarians and state officials. To illustrate, one aid worker felt strongly that his role was to help broker a situation to allow the purported landowner to reclaim his land from IDP squatters.¹⁷¹ He empathised with the landed elite's goal for accumulation during the capital-intensive reconstruction period. Instead of being able to use his land productively, it was being occupied by people whose homes and livelihoods had been completely destroyed by the earthquake. This aid worker sought to justify the landowner's position of loss by grouping the earthquake victims/land occupants on the land with other groups of property bandits in Haiti:

When I was visiting the camp, the landowner showed me a map of the city. He pointed to all the land that his family had owned until people invaded it. He told me Haiti is like the wild west. A person like him can easily lose his land and never get it back from squatters. He showed me how, if this keeps happening, people will just develop slums around here for years. I could see his point. We [humanitarian organisations] were at risk of legitimising all of these people's land grabs after the earthquake.¹⁷²

This quote, which demonstrates a willingness to accept the landowners' versions of history, materialised from fears of being seen to intervene in ways that supported lower-class illegality. We also see here how humanitarian organisations played a role in rewriting history. The above quote portrays the *land-vulnerable* as *land grabbers* and the *landed elites* as *victims* of property crime. This inversion of historical truth, and its meaning for de-legitimising squatters' land claims, emerges in the context of humanitarian ideology about private property rights and the institutional role of humanitarian organisations to uphold these sacred rights (see also Calhan, 2014; Smit, 2012). The struggles of the marginalised landless as acceptable or worthy of their support are not viewed as legitimate. As illustrated here, the world view of humanitarians on property rights seamlessly merged with the interests of Haiti's state elite to wrest land control from post-earthquake squatters.

There are two ways that an ostensibly neutral humanitarian sector assumed an inherently political role by expelling unwanted populations on behalf of the Haitian state. The

¹⁷¹ Interview with humanitarian official 5, Port-au-Prince 10 April 2014.

¹⁷² Interview with humanitarian official 5, Port-au-Prince 10 April 2014.

first is related to humanitarians' reliance on Haitian law to guide approaches to land conflicts and to legitimise acts that supported dominant interests, including their own. Law therefore became a reference point for humanitarians to 'contain anarchic violence' in order to 'regulate violence in a civilised and humane way' (Blomley, 2003, p. 121). This involved developing a Property Law Working Group (PLWG) to clarify legal rules for a wider group of international stakeholders (including humanitarian organisations), so that all actors could coordinate their interventions in relation to land sale, promote legal evictions, and safeguarding private property rights. Much of the PLWG's work involved creating manuals that humanitarian practitioners, states, investors, and landowners could use to craft legal and effective responses to land-related problems (such as dealing with unauthorised land occupations).¹⁷³ These manuals provided easy instructions and legal justification for the implementation of orderly and well-managed evictions, which had no bearing on the wider obstacles to housing rooted in land inequality and class domination. They also served to naturalise exclusionary legal principles and hierarchies between private property protections and the right to housing. The PLWG functioned to de-politicise land conflicts by suppressing the need for public debate about land and law reform, and empowering a repressive state and legal system to resolve land conflicts.¹⁷⁴

The PWLG's role in dispossessing squatters was accompanied by more insidious and conscious organisational involvement in forced evictions. My research shows how violent state-sponsored evictions challenged the organisational reputations of humanitarian organisations. Organisations received pressure from international donors and the UN architecture to reduce the threat of violence being directed at squatters living on state and private land. This resulted in the creation of a "triage approach," formulated by humanitarian actors, to deal with eviction threats. Its purpose was to protect the *physical security* of people from violent evictions (while ignoring the structural causes of this violence). Although this was the original intention, the triage approach became a way to remove key procedural

¹⁷³ See Haiti Land Transaction Manual. Retrieved from: <https://landportal.org/library/resources/suclourbanoorg1054/haiti-land-transaction-manual-%E2%80%93vol-1>

¹⁷⁴ Haiti Property Law Working Group. 2017. 'Securing Land Rights for Equity, Sustainability and Resilience. Working Paper for Annual World Bank Conference on Land and Property. Retrieved from https://www.conftool.com/landandpoverty2017/index.php/03-04-Blake-376_paper.pdf?page=downloadPaper&filename=03-04-Blake-376_paper.pdf&form_id=376&form_version=final

protections from land claimants and allow for the state's or landowners' speedy recovery of occupied land.

This distortion of original intentions arose from the idea that humanitarian organisations could protect squatters by asserting their voice and methods over those of squatter communities. Humanitarian organisations with camp management responsibilities began to regularly report on eviction threats to the IOM-led camp management cluster – a forum where squatters were excluded. Once an eviction threat was detected, the IOM and other humanitarian actors proceeded to hold negotiations with purported landowners or state officials making these threats, thus acting “on behalf of displaced people.” The negotiations usually resulted into an agreement between humanitarian actors and the individuals making eviction threats on a timetable for evictions. This timetable then enabled the registration of squatters and the provision of small amounts to compensation in exchange for their departure. Their removal from the settlement was also overseen by humanitarian organisations.¹⁷⁵

This approach circumvented some of the more protective, yet cumbersome, legal procedures on evictions in Haitian law. This included the obligation for private landowners or state officials to seek court authorisation to implement evictions. Similar to Koch's (2014) observation on the role of international institutions in curtailing the claims of asylum seekers, this humanitarian approach was framed as a “protection” activity for land occupants targeted by elite violence. In the humanitarian framing, land occupants simply had no legal right to land they occupied. This justified humanitarian intervention to remove land occupants from a potentially harmful situation (no matter their willingness to struggle and fight for their right to occupy certain land plots). The approach was highly successful in turning potential incidents of physical violence into orderly and legal evictions, thereby lowering the number of forced evictions on record.

Essentially, humanitarian organisations created a mechanism for state authorities and landowners to evict post-earthquake squatters without substantial social or financial cost, in a way that allowed humanitarians to meet their institutional mandates and progress toward goals without actively challenging systems of power. This approach, however, was strongly

¹⁷⁵ Interview with humanitarian officials 7 (21 April 2014) and 9 (21 January 2014), Port-au-Prince. See also Joseph & Shah, 2012.

condemned by local civil society groups on both procedural and social justice grounds (see Joseph & Shah, 2012). In civil society's view, humanitarian actors were directly aiding and abetting criminality by negotiating with private citizens and state actors who were threatening to carry out criminal acts. Their triage approach not only allowed individuals threatening to commit crimes to side-step legal processes that afforded protection to vulnerable land occupants, but also gave these individuals decision-making power over the lives of the people who they were prepared to harm. It also legitimised landowners' claims over the claims of squatters. A lack of transparency in these negotiations between humanitarians and perpetrators of forced evictions also raised serious concerns. Humanitarian actors were seen to be validating the land claims of landowners even when they could not produce legal proof of ownership (Calhan, 2014). For these reasons, local groups questioned the perverse relationship between these approaches and humanitarian goals to empty camps.

Certain civil society groups also contested the very idea that international institutions could supplant important legal protections with their own forms of protection. This was because humanitarian organisations had already demonstrated their deference to state interests, and therefore could not be trusted to impartially represent vulnerable land claimants in negotiations over the future of their occupation. Without impartial legal representation and due process, some civil society groups believed land occupants were being sold out by the triage approach to land conflicts that essentially replaced unlawful evictions with legally sanctioned expulsions. This is summarised by a local housing advocate:

These negotiations around evictions are tainted. No one is recognising housing rights in this process. The humanitarians think that squatters, the poor, are simply lucky to get what they can.¹⁷⁶

To conclude, this section has demonstrated different forms of humanitarian complicity in state-led and facilitated forced evictions. It has shown instances where humanitarian organisations have either violated their institutional mandates and codes of conduct to enable state criminality, or have directed state criminality by establishing mechanisms for rapid evictions that violated procedural protections for land occupants. These

¹⁷⁶ Interview with local housing activist 1, Port-au-Prince, 25 October 2013.

themes continue in the next section as I describe policies designed by humanitarian organisations to empty the remaining post-earthquake settlements.

III. Involuntary Returns and Humanitarian-Led Expulsions

Previously in this chapter, I looked at the perverse incentives for humanitarian organisations to collaborate with the criminogenic goals of the state. I will now consider the key developments in humanitarian policy-making that responded to tension between state-humanitarian interests and those of earthquake victims. This tension comes to light in the implementation of the Rental Subsidy Cash Grant Programme (RSCG). This programme, I argue, illustrates the coercive and norm-breaking behaviour of humanitarian organisations in pursuit of deviant goals that entail the violation of human rights – especially the right to housing. The range of measures undertaken by humanitarian actors under this programme stands in radical contrast to international norms¹⁷⁷ designed to protect the rights of earthquake victims.

The basic principle of the RSCG programme was that every family still living in post-earthquake settlements would be entitled to a one-year US\$ 500 rental grant on the condition that they “returned” to the formal rental market. Investigation into the roots of this policy revealed that it borrowed from methods of expulsion already in place in Port-au-Prince. Prior to the wholesale adoption of the RSCG programme, Port-au-Prince mayors were already coercing people to leave post-earthquake settlements by giving them the option to leave either with monetary compensation or by force.¹⁷⁸ Indisputably, the RSCG programme embodied the same logic of coercing vulnerable people to leave post-earthquake settlements without full recognition or progressive realisation of their housing rights. Settlement closures enabled through the RSCG programme had the effect of disappearing visible homeless populations into the ranks of the invisible poor.

¹⁷⁷ The rights of disaster victims in relation to housing and settlement are laid out in various international legal instruments, including the UN Guiding Principles on Internal Displacement, the Inter-Agency Standing Committee Framework on Durable Solutions, and General Comment 7 (The Right to Adequate Housing: Forced Evictions) on article 11(1) on the International Covenant of Economic, Social and Cultural Rights. See also Slim (2015, p.40) on the 33 conduct norms humanitarian organisations are expected to follow in their operations (including transparency, accountability, respect, and do no harm).

¹⁷⁸ Interview with humanitarian official 10, Port-au-Prince, 26 January 2014.

The origins of the RSCG programme are traced to the Returns Working Group established in 2011 by humanitarian organisations performing camp management responsibilities. A core purpose of this group was to find acceptable, scalable housing solutions to enable camp closures.¹⁷⁹ Participants of this working group recalled a willingness of group members to develop housing interventions more acceptable to the Haitian state, given past failures and minimal progress. Recalling Chapter Four, many humanitarian housing interventions had stalled due to state indifference or direct obstruction.

This shift in humanitarian thinking around 2011 is significant for several reasons. It revealed momentum to prioritise state interests over victims' interests to achieve organisational goals. And, this desire to collaborate with the state came at a time when the state was actively engaged in carrying out violent, illegal evictions. The state's criminality, however, was expressly overlooked in favour of a partnership that promised results through the development of state-backed policy. The rationale for colluding with a criminal state is evident in the words of a senior aid worker:

We [humanitarian organisations] didn't want to become a voice in the wilderness screaming for years about housing. We needed political will to deal with the situation. We knew we had to recommend something strategic to the government, something they would be willing to discuss. Otherwise we would be living in a vacuum forever, getting nothing done, without the government on board.¹⁸⁰

This desire for more state engagement in the housing sector overlapped with a readiness to abandon or manipulate international norms to meet expected goals. Organisations indicated that international norms were not necessary or realistic for Haiti.¹⁸¹ Norms, they argued, could serve as reference points for their actions but needed to reflect the context of their operation.¹⁸² Many saw that their limited resources and the extreme land complexity justified authoritarian, non-participatory decision-making, as well as limited compliance with normative standards and codes of conduct. The effect was to further marginalise land occupants from decision-making processes in ways that dehumanised their situation and

¹⁷⁹ Interview with humanitarian official 3, London, 9 June 2014.

¹⁸⁰ Interview with humanitarian official 12, Port-au-Prince, 17 July 2014.

¹⁸¹ Interview with humanitarian official 21, Port-au-Prince, 22 October 2013.

¹⁸² Interview with humanitarian official 12, Port-au-Prince, 17 July 2014.

positioned them as obstacles to humanitarian goals. An aid worker's sentiments on the ethical and normative restrictions on humanitarian practice, is seen in their statement:

The financial reality is that we [humanitarian organisations] didn't have the money to provide a housing solution in line with human rights criteria. Sure, if we really had the nine billion dollars promised we would be able to do what internationally is talked about. But we had less than half a billion. There was no point sitting around the table and discussing housing solutions in terms of what is right or wrong and the moral implications. We [the humanitarian sector] had to deal with reality. We generally agreed it was better to just provide minimal aid to 100,000 than to meet standards for 10,000.¹⁸³

Perspectives like these grounded new policy-making that would actively undercut housing rights. In 2012, the state and humanitarian actors adopted the Rental Subsidy Cash Grant Programme (RSCG) as their primary method for ending displacement. The programme, which I shall describe below, operated much like a settlement clearance policy. Testament to the authoritarian nature of humanitarian policy-making, and the collusive relations between the state and humanitarian actors, one state official bragged that the RSCG programme was created by 'six men who got along and knew how to get things done.'¹⁸⁴

Significant efforts were made by humanitarian actors to frame the RSCG programme as legitimate state policy. Humanitarian creators of this programme attempted to harmonise the RSCG programme with normative principles and procedures on internal displacement, while reinforcing the view that the programme fulfilled both state and humanitarian obligations to displaced victims. The policy thus conveyed that it was aiding displaced people's "right to return" to their previous position as renters in Port-au-Prince neighbourhoods. This framing relied on the construct that post-earthquake settlements were dangerous places, and implied that all land occupants *wanted to return home*. Explored in Chapter Eight, such discourses misrepresented the view or interests of land occupants toward post-earthquake settlement land. They also played a key role in legitimising the RSCG's one-year rental grant as the *best* and *only* solution for landless people. This was regardless of the harm landless people would face once they had left settlements providing free or minimal cost housing. The RSCG policy

¹⁸³ Interview with humanitarian official 3, London, 9 June 2014.

¹⁸⁴ Interview with government official 7, Port-au-Prince, 13 October 2013.

manual itself clarifies how limited rental grants for perpetually homeless and landless populations were rationalised:

Providing a rental property for one year to a family who were renting before their displacement can in some circumstances legitimately be considered a housing solution which has closed the cycle of displacement and therefore fulfilled the duty of care of responsible authorities with specific regard to the emergency event which precipitated displacement.¹⁸⁵

Here, we see the institutional role of humanitarian actors in correcting the settlement behaviours of land occupants and in defining their limited entitlements to state/international assistance, irrespective of their broader vulnerability to harm and human rights violations. Notwithstanding how the programme was socialised, state discourses were more straightforward and revealing of the illegitimate aims of the RSCG programme. During a UN Human Rights Committee reporting session, a Haitian official from a housing authority stated:

Like it or not, the rental subsidy programme is a success for lowering the number of camps. Rental subsidies are the only option.¹⁸⁶

In interviews, the RSCG programme was depicted as a win-win approach for the state, humanitarian actors, and land occupants.¹⁸⁷

The excessive bureaucratic force required to implement the RSCG programme is telling of its function as a coercive, corrective measure designed to satisfy political goals and demands for urban land. In the RSCG manual, the humanitarian architects of the programme smoothed out its legal, technical, and operational aspects to bring it in line with rights-based standards.¹⁸⁸ In practice, as revealed by my fieldwork, the targeted subjects of the programme faced harassment, exploitation, violence, and curtailment of their rights. These outcomes were

¹⁸⁵ p. 25 of the Rental Subsidy Cash Grant Operational manual. Retrieved from <http://documents.worldbank.org/curated/en/273871467991006017/pdf/102641-WP-Box394839B-PUBLIC-final-operational-manual-rental-support-cash-grants.pdf>

¹⁸⁶ Quotation from notes provided by human rights observers of the UN Human Rights Commission on 8 October 2014.

¹⁸⁷ Interview with humanitarian official 21, Port-au-Prince, 22 October 2013.

¹⁸⁸ See Rental Subsidy Cash Grant Operational manual. Retrieved from <http://documents.worldbank.org/curated/en/273871467991006017/pdf/102641-WP-Box394839B-PUBLIC-final-operational-manual-rental-support-cash-grants.pdf>

related to the RSCG's inherently punitive approach to land occupants who were socially constructed as underserving, socially deviant, and potentially dangerous.

How people were targeted to be RSCG programme beneficiaries illustrates this. Settlement occupants did not sign up to become part of the RSCG programme. The state and private landowners has significant leverage over when and where settlement closures would take place. Landowners could speed up humanitarian-implemented settlement closures by simply indicating their intention to evict land occupants. Once humanitarian organisations had developed the logistical machinery of the RSCG programme, they could intervene in eviction threats by providing rental grants and overseeing population expulsions in a matter of weeks.¹⁸⁹ In the case of *Caradeux*, a post-earthquake settlement resisting closure, the IOM acquiesced to a direct order from the prime minister's office to implement the RSCG programme against the community's will.¹⁹⁰ The *Caradeux* settlement was located on a parcel of state-expropriated land claimed by a private landowner locally known for engaging in land criminality, including document fraud and forced evictions. State officials, who allegedly received campaign contributions from this landowner, also had material interests in wresting control of this land from *Caradeux*'s occupants, in order to construct a new road through the settlement for commercial purposes.¹⁹¹ Siding with the state and landowners to close the *Caradeux* settlement, against the community's will and without due process, was an obvious violation of humanitarian principles of voluntariness and community participation, as well as international standards on forced evictions.¹⁹²

Populations targeted by the RSCG programme were often subjected to repressive and dehumanising processes involving a wide range of rights violations. Land occupants were enrolled in the RSCG programme not through informed consent, but through militarised invasions of their settlements. In stark contrast to international guidance on forced evictions, the consultation process for settlement closures entailed aid workers, Haitian police, and UN police encircling a targeted settlement in the middle of the night and restricting all movements

¹⁸⁹ The main international organisations implementing the RSCG programme were: CARE; Catholic Relief Services (CRS); Concern Worldwide; Goal; Help Age; International Federation of Red Cross and Red Crescent Societies (IFRC); the International Organization for Migration (IOM); J/P Haitian Relief Organization (J/P HRO); and World Vision.

¹⁹⁰ Interview with humanitarian official 32, Port-au-Prince Haiti on 9 August 2014.

¹⁹¹ Interview with humanitarian official 5, Port-au-Prince, 10 April 2014.

¹⁹² See footnote 169.

to or from the settlement while the RSCG registration took place.¹⁹³ Once surrounded, families were forced to admit people they did not know to their tents and complete RSCG beneficiary registration paperwork under duress. Some international observers of the process witnessed people slow or reluctant to engage with the process have their tents ripped open.¹⁹⁴ In one example, the dehumanising methods used to register people led to the careless exposure of a naked woman, who had not been given time to dress herself in the midst of her settlement's invasion.¹⁹⁵

Land occupants said that the entire process made them feel like animals.¹⁹⁶ Some mothers protested that their children were traumatised for months following the force displayed during these registrations.¹⁹⁷ Organisations implementing the RSCG programme paid no attention to the trauma that night-time visits of armed police might have on people who had lived under brutal dictatorships for decades. In the case of *Caradeux*, the land occupants' attempt to resist RSCG registration resulted in the Haitian police tear gassing the population and beating some of the residents (the IOM alleged the violence occurred after its staff had left the settlement).¹⁹⁸ The violence left several people with serious injuries, and the settlement population reported that at least one baby had died after inhaling tear gas.¹⁹⁹ Still, humanitarian organisations escaped international judgement for their involvement coercive settlement closures and violence against some of the world's most vulnerable people.²⁰⁰ Donor governments and UN bodies normalised these violent encounters as necessary forms of

¹⁹³ The stated intention for restricted movement was that people might otherwise try to enter from the outside to claim entitlements to rental assistance. Amongst the many ways this punitive approach violated international norms related to human dignity, free movement and meaningful participation in aid processes, it also failed to account for the very reason that someone might enter an informal settlement to receive housing aid – which was that no housing assistance was being provided anywhere else. Such approaches highlight the harmful implications of arbitrary distinctions and categorisations of disaster affected populations and their entitlements, as well as the tendency of aid organisations to criminalise the behaviour of local populations.

¹⁹⁴ Interview with researcher/migration expert in London, United Kingdom on 26 April 2018.

¹⁹⁵ Interview with researcher/migration expert in London, United Kingdom on 26 April 2018.

¹⁹⁶ Interviews with land occupants, Caradeux settlement, Port-au-Prince, 19 July 2014.

¹⁹⁷ Interviews with land occupants, Caradeux settlement, Port-au-Prince, 19 July 2014.

¹⁹⁸ Interview with humanitarian official 49, Port-au-Prince, 7 August 2014.

¹⁹⁹ Interview with land occupants, Caradeux settlement, Port-au-Prince, 19 July 2014. See also media report, *Haïti-Logement : Violences policières contre des personnes déplacées au Camp Caradeux*. Retrieved from: <http://www.alterpresse.org/spip.php?article16344#.XKofnRNKh-V>

²⁰⁰ The Caradeux settlement was still resisting closure when I left Haiti in August 2014. Discussions were ongoing amongst state authorities and humanitarian organisations about how to close Caradeux without significant public/media backlash.

policing and enforcement of property rights, especially in light of the deviant behaviours demonstrated by landless people.

The coercive tactics by which land occupants were brought into the RSCG programme was portrayed as a voluntary return to the rental market – although it had the hallmarks of involuntary movement. Families were told they had the option to receive rental grants or leave settlements with nothing.²⁰¹ Humanitarian language around choice gave the impression that precarious populations had the option to *freely select* where they wanted to live in the city after leaving extra-legal settlements. This, of course, was pure fiction based on the limited means of earthquake victims. Families were given only a few weeks to consider their options and find rental accommodation before the scheduled date of settlement closures – in a housing economy marked by mass destruction and limited rental stock.

Although procedurally a grievance process did exist, it did not meet expected standards.²⁰² It focused solely on complaints about eligibility for rental grants and refused to entertain complaints about organisational behaviours or closure of the settlement. For these reasons, both land occupants and Haitian civil society labelled the process a form economic coercion that put landless people at extreme risk of being homeless after their one-year grant expired.²⁰³ I will return to discuss this form of social censure. During interviews, humanitarian organisations defended the RSCG programme by invoking its contribution to peaceful resolution of land conflict and urban stability. Some rationalised that the RSCG programme was the first step in a linear process from humanitarian relief to development. Rental subsidies, they claimed, had provided displaced families with the means to leave illegal settlements and re-join their fellow non-displaced citizens in the formal housing sector.²⁰⁴

Deeper interrogation of the RSCG programme reveals its disciplinary elements, especially in seeking desired effects on the urban population. Destitute families were only

²⁰¹ Interviews with land occupants, Caradeux settlement, Port-au-Prince, 19 July 2014.

²⁰² Paragraph 13 of General Comment 7 of article 11(1) of the ICESCR states: ‘States parties shall ensure, prior to carrying out any evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultation with the affected persons, with a view to avoiding, or at least minimizing, the need to use force. Legal remedies or procedures should be provided to those who are affected by eviction orders.’ However, land occupants in humanitarian camps in Haiti were denied access to legal procedures to contest their removal from settlements.

²⁰³ Interview with housing activist 1, Port-au-Prince, 25 October 2013.

²⁰⁴ Interview with humanitarian official 31, Port-au-Prince, 15 March 2014.

allowed to use rental grants for housing, even if they had other priority needs (i.e., food). Likewise, they were forced to select housing that met international criteria. While this may have implied access to safer housing for the duration of the one-year grant, it also increased the risk that people would not be able to afford more expensive housing once their rental grants expired.²⁰⁵ Sometimes, families were restricted from renting homes from family members, who may have lowered the price for them, because of views that people were somehow scamming the system if at least one of their extended family members had access to housing.²⁰⁶

The RSCG programme also compelled beneficiaries and landlords to sign one-year contracts for the one-year period of rent. Though rental contracts are not standard features of Haitian landlord-tenant relationships, their main function was to demonstrate the *legality* of the RSCG programme. In reality, rental contracts were meaningless because they were not embedded in institutional systems of monitoring and enforcement of tenants' rights. Once again, this practice worked against the vulnerable subjects of the RSCG programme, who found themselves locked in potentially exploitative relationships with landlords from a different social class.

Once in their rental housing, the people expelled from post-earthquake settlements were subjected to surprise monitoring visits by humanitarian agencies. These visits were telling of the priorities and control practices embedded in the RSCG programme, because implementing agencies were solely interested in monitoring the rootedness of former land occupants. RSCG beneficiaries could not receive the final instalment of the rental grant (US\$125) unless they were found to be living in the same rental homes approved by humanitarian agencies. Some aid workers indicated that this criterion was 'linked to the kind of housing behaviour we were are trying to encourage.'²⁰⁷ Testament to the true nature of the RSCG programme, these monitoring visits did not inquire of the housing or living conditions of people thrown out of settlements. They paid no attention to how people may have struggled to find employment to pay for their second year of rental housing, or who may have become poorer as a result of their loss of access to cheap (or free) land.

²⁰⁵ Interview with Haitian housing activist 1, Port-au-Prince, 25 October 2013.

²⁰⁶ Interview with Haitian housing activist 1, Port-au-Prince, 25 October 2013.

²⁰⁷ Interview with humanitarian official 21 in Port-au-Prince, 22 October 2013.

IV. Organisational Omissions and Negligence

One way of showing the deviant behaviour of organisations is to expose their knowledge of the harms created by their decisions and policies as well as their unwillingness to address them. There is an important aspect to understanding why humanitarian design and implementation of the RSCG programme should be considered as an example of state-humanitarian crime. Humanitarian agencies should have anticipated the harms of forcing precarious families back into a post-earthquake housing economy. They should have halted the implementation of settlement closures after multiple studies demonstrated the harmful effects of these acts (discussed below).

Strong support for the assertion that the RSCG programme was an example of state-humanitarian crime can be found in the humanitarian assessments conducted from 2010 to 2011. These assessments show that people in informal settlement were living hand-to-mouth and unable to afford their basic needs, including housing (Ferris & Ribeiro, 2012). A key finding from a 2011 report from the IOM, one of the implementing agencies of the RSCG programme, was that people living in informal settlements had legitimate financial reasons for living in settlements rather than renting homes. Housing debates with development organisations had also raised concerns about the risks of humanitarian labelling and the individualised approaches to housing. In 2013, for example, UN-Habitat issued statements warning that informal settlements had become a critical part of the housing market for people without jobs and housing.²⁰⁸ Due to their provision of relief services, humanitarian agencies were also aware of the buying and selling of tents and land plots. Drawing on these different sources of data, it is safe to assume that humanitarian organisations implementing the RSCG programme were aware of the risks of further impoverishment and long-term homelessness associated with mass settlement closures.

Recalling Chapter Two, much academic research on humanitarian institutions excuses their harmful behaviours by blaming their actions on normative blind spots and cultures of practice. While this is a factor in how harmful decisions are made and carried out, humanitarian

²⁰⁸ Interview with humanitarian official/housing expert 35, London, 10 June 2014.

organisations in Haiti articulated a clear understanding of their potentially harmful acts. In other words, they understood that rental grant recipients could easily end up in precarious housing situations after their one-year housing grant expired. One admission of guilt came from an aid worker heavily involved in the implementation of the RSCG programme, who admitted it was ‘kicking the can down the road, making it appear that the housing problem had been solved when it was still a major problem.’²⁰⁹ Such views highlight the awareness of organisations that they had directly affected a process of non-recognition of people’s actual housing needs.

Staff with RSCG implementing organisations also displayed anxiety about the lack of sufficient rental housing for the number of people being forced back into the formal rental market.²¹⁰ They knew that several families were purportedly moving to the same rental accommodation – empirical evidence of the imbalance between housing demand and supply.²¹¹ Unpublished reports from organisations clearly stated that there was not enough housing stock to meet the needs of everyone forced to leave settlements.²¹² Privately, humanitarian staff expressed their fears that the RSCG programme was driving up the cost of rent, or causing city landlords to evict existing tenants (i.e., people not coming from informal settlements) in favour of RSCG beneficiaries with access to upfront cash.²¹³ In other words, paying people to leave informal settlements could victimise *other precarious households* by overheating the rental market and pushing them out.²¹⁴ Despite these concerns, no attempts were made to confirm or deny this potentially harmful trend.

Furthermore, humanitarian organisations had access to multiple evaluations and reports demonstrating the harmful effects of the RSCG programme. The first evaluation (in 2013) should have halted its implementation after finding that only 25% of rental grant recipients remained in their rental accommodation after their one-year grant had expired. Of

²⁰⁹ Interview with humanitarian official 25, Port-au-Prince, 10 April 2014.

²¹⁰ Interviews with humanitarian officials 25 and 55, Port-au-Prince, 10 April 2014.

²¹¹ In a scenario where people were being told they must leave their camp and find an alternative home in a two-week timeframe, there is little reason to believe they would admit their failure to find housing and risk missing out on their only option for housing assistance, however insufficient. This problem was only amplified by the sheer absence of humanitarian staff to assist families or field questions about the programme.

²¹² An example is the IOM Draft Paper ‘Longer-Term Solutions to Displacement in Haiti: Exploring Community Integration as a Viable Approach’ obtained in July 2014.

²¹³ Interview with humanitarian official 3, London, 9 June 2014.

²¹⁴ Interview with humanitarian official 25, Port-au-Prince, Haiti on 10 April 2014.

the 75% of people who left their rental accommodation after the expiration of their rental grant, three-quarters said they did so because they could no longer pay rent.²¹⁵ Another quarter said they left because of problems with their landlord, also implying flaws with the RSCG programme.²¹⁶

Humanitarian agencies should have seized on this study as evidence of significant harms being perpetrated by the programme, including making people worse off than they were in informal settlements. Instead, the programme continued through to a second evaluation (in 2014) where similar results were found. This time, professional evaluators struggled to even find RSCG recipients for their housing survey, forcing them to reduce the sample size of their study by almost half.²¹⁷ While the second evaluation found that half of the RSCG beneficiaries remained in their rental homes after the grant ended, it still reported a high percentage (20%) of people unable to afford rent in their second year, or had left their rental housing because of problems with landlords (15%).²¹⁸ Again, these findings had no effect on the programme's implementation. In fact, the study was disregarded, and the organisations which commissioned it sought an additional US\$20 million from donors to close all remaining informal settlements in the city.²¹⁹

V. Conclusion

In the end, the RSCG programme achieved deviant state-humanitarian goals for rapid closure of informal settlements without the provision of adequate housing for evicted land occupants. Humanitarian data shows that 273,049 land occupants were expelled from informal settlements under the RSCG programme (IOM, 2015). RSCG programme evaluations suggest

²¹⁵ The Wolf Group Performance Consultants, *External evaluation of the Rental Support Cash Grant Approach Applied to Return and Relocation Programs in Haiti*, September 2012 – January 2013. Retrieved from <http://www.ijdh.org/wp-content/uploads/2013/06/Haiti-Rental-Grant-Evaluation-the-WolfGroup.pdf>

²¹⁶ The Wolf Group Performance Consultants, *External evaluation of the Rental Support Cash Grant Approach Applied to Return and Relocation Programs in Haiti*, September 2012 – January 2013. Available at <http://www.ijdh.org/wp-content/uploads/2013/06/Haiti-Rental-Grant-Evaluation-the-WolfGroup.pdf>

²¹⁷ M. Trevino, R. Stewart, M. Daku, and A. Lawlor (2014). Second External Evaluation of the Rental Support Cash Grant Applied to Return and Relocation Programs in Haiti. Final Report. International Organization for Migration.

²¹⁸ M. Trevino, R. Stewart, M. Daku, and A. Lawlor (2014). Second External Evaluation of the Rental Support Cash Grant Applied to Return and Relocation Programs in Haiti. Final Report. International Organization for Migration. p. 28.

²¹⁹ Interview with humanitarian official 20, Port-au-Prince, 29 July 2014.

that significant numbers of people have been put at risk of future human rights violations associated with the lack of housing through their inclusion in this programme. Over the course of the humanitarian response, state and humanitarian actors enacted the permanent closure of 541 post-earthquake settlements, at least some of which could have satisfied the long-term housing needs of people with insecure forms of tenure.²²⁰ This number, coupled with at least 60,000 recorded forced evictions, and an unknown number of “spontaneous returns”, suggests that hundreds of thousands of earthquake victims have been re-victimised during the reconstruction process. By 2015, only 37 settlements were remaining from the original 1,555 settlements created after the earthquake. While such figures have been heralded as progress in ending displacement, the reality is that mass settlement closures occurred without simultaneous efforts to construct new homes or bring down the exorbitant cost of rent.

This chapter demonstrates that forced evictions and coerced/involuntary returns under the RSCG programme are two examples of state-humanitarian organisational deviance during urban reconstruction. The pressures on humanitarian organisations to end displacement incentivised a range of practices aimed at expelling unwanted populations from post-earthquake settlements. In the context of post-disaster land struggles, humanitarian organisations supplied the logistical machinery, resources, and discursive legitimisation necessary to end disruptive extra-legal occupations without the state needing to cede valuable urban land for housing or fulfil its obligations to protect the right to housing. Direct humanitarian involvement in unlawful evictions and coercive expulsions from post-earthquake settlements illustrate the ways that humanitarian organisations leverage their institutional mandates and access to communities, to serve state interests, which were often responsive to the flow of reconstruction capital. The RSCG programme stands out as an embodiment of the exercise of humanitarian governmental power to correct social behaviours that disrupt the free flow of capital through urban land markets and the power relations that sustain these processes.

²²⁰ This data is taken from the December 2015 IOM Displacement Matrix Report.

Chapter Six

Resistance to Land Exclusion in Post-Earthquake Haiti

Central to this thesis is how Haiti's urban poor responded and challenged the continuum of state-humanitarian crime and institutional violence. I have described the assemblage of state-elite-humanitarian power after the earthquake and followed its various modes of harm, exclusion and violence against landless people lacking access to affordable housing. An outcome of the deviant acts of these actors, working in concert to reclaim urban land from landless people, was that it led to a large floating population of homeless people in Port-au-Prince. Indeed, the coercive and violent measures undertaken by the state and humanitarian organisations to remove people from post-earthquake settlements accomplished the primary goal of restoring state-elite land control; but these measures did not succeed in re-rooting landless people in the formal rental market. This was because people had limited economic means to rent homes after their one-year rental grant expired, and because there was limited rental stock in the post-earthquake city.

I will now explain how the urban dynamics shaped by patterns of state-humanitarian criminality constituted the social ingredients for mass resistance to land dispossession and inequality. My discussion of these dynamics will primarily centre on the mass land invasion of Port-au-Prince's northern periphery, and the subsequent creation of Canaan, a new informal settlement. The Canaan settlement is located approximately 40 kilometres from downtown Port-au-Prince and sits adjacent to a major highway connecting Port-au-Prince to a string of elite-owned tourist resorts. This large, previously empty swath of land was originally intended to be the site of a new integrated economic zone (IEZ) accommodating two industrial parks for foreign manufacturers seeking cheap Haitian labour (see Chapter Seven). However, between 2010 and 2015, more than 200,000 Haitians migrated to the northern periphery and occupied the entire area allotted for the IEZ. Canaan's emergence is therefore symbolic of the power of earthquake victims to disrupt reconstruction capital and initiate their own form of people-led reconstruction.

This chapter argues that Canaan must be viewed as a form of land resistance shaped by people's violent encounters with the state elite and humanitarian actors who denied them of their post-earthquake access to adequate housing. Local struggles for land continually unfolded throughout the reconstruction period in response to state-humanitarian attacks on the land gains made by landless populations. To tease out this argument, this chapter provides unique insights into the micro processes of resistance driven by individual agents and forms of community mobilisation. These insights contribute to the theoretical understanding of the dialectic between state repression and resistance, and the tension between legality and illegality, as populations confront their exclusion through the means of the law. Recognising how Haiti's land struggles evolved over time is central to labelling state-humanitarian criminality and coming to terms with how local forces may condemn and counter harmful state-humanitarian behaviour.

Insights on local resistance to state-humanitarian harms and crime are based on fieldwork in the Canaan settlement, specifically the four neighbourhoods²²¹ of *Village des Pêcheurs*, *Mozayik*, *Canaan 3*, and *Onaville*. Using interviews with fifty-five squatter households and multiple observations of community-related interactions, I explore how people interpreted their post-disaster circumstances and their struggles for land, home, and social belonging. Through their discourses and reflections about the state, class relations, and their individual rights, this chapter underscores some of the transformative aspects of people's experiences in migrating from inner Port-au-Prince to the urban periphery, and in occupying and having an opportunity to change the broader urban environment. Chapter Seven expands on these understandings by taking a more detailed look at land occupation and self-construction as a form of social empowerment for marginalised landless people. There, I also examine the capital-driven forces perpetuating widespread abuse, discrimination and violence against urban people living in informal settlements (Holston, 2008).

This chapter also elaborates on the theoretical concepts guiding my inquiry into post-disaster mobility and extra-legal land capture as forms of resistance against predatory power structures. By combining the state-crime framework with the work of scholars theorising class

²²¹ Canaan contains many distinct neighborhoods, called zones by the people living there. Depending on their level of development and construction, neighborhoods or zones may have their own governing committees, water points, markets, cemeteries, and other infrastructure built by the residents.

struggle and rebellions, this chapter outlines key concepts to guide an empirical discussion of Haiti. In particular, it draws upon scholarship identifying and analysing clandestine forms of agency that are available to subordinated populations who lack access to more visible and organised modes of resistance. This chapter therefore examines both acts of open defiance as well as the subtler forms of resistance that have sprung up in the face of severe state repression and violence. In doing so, it identifies similarities between post-disaster resistance strategies and other historical instances when Haitians “voted with their feet” to object to state predation and decision-making that facilitates the dominant mode of production (Sheller, 2012; Green & Ward, 2004, p. 9). It shows how local resistance strategies are rooted in alternative value systems about land and its fair distribution, thus challenging the hegemonic portrayal of Haiti’s post-disaster land occupations as non-ideological and deprivation-based.²²² The purpose is to demonstrate the significance of Canaan’s land occupations as a critique of the illegitimate acts and policies of state and humanitarian actors.

I. Everyday Resistance and Challenging State Crime

Communities of resistance are important to state crime scholars for their role in censuring state behaviour and defining state actions as violations of shared norms and beliefs (Green & Ward, 2004, p. 4; Green & Ward, 2014; Lasslett et al., 2015). As mentioned, state-crime theorists give legitimacy to actors from below to label state deviancy, allowing them to go beyond the traditional reliance on international law and legal human rights norms when defining state crimes. Examining how local discourses and practices have significance as a form of censure requires attending to the nature of the political forces operating within a particular social context (Green & Ward, 2004; Gramsci, 1971, pp. 210; Scott, 1990, pp. 136–37).²²³ Resistance practices not only have criminological significance in the ways that communities expose and apply sanctions to the crimes of the powerful, but they also have value for apprehending the shifting terrain of power relations (Green & Ward, 2004, 2014).

These ideas rely on a Gramscian understanding of the composition of state-society relations and the preconditions for class consciousness and political revolution. Gramsci

²²² See Pruijt (2013) on different categories of urban squatting.

²²³ An example is Lasslett et al.’s (2015) consideration of sabotage as a deliberate method used to expose and censure state-corporate crime.

depicted the state as two distinct superstructural levels existing in dialectical unity – political society and civil society (Gramsci, 1971, p.12). Whereas political society entails the organisational and coercive features of the state, civil society stands apart as a field where power can be both exercised and generated (Filippini 2017, p. 46). Civil society organises social hegemony to the ideas of the dominant group, thus playing an important role in securing social consent to state power. For Gramsci, social groups competing with the dominant group for the state apparatus must be able to exert their hegemonic influence on civil society before assuming governmental power (Gramsci, 1971, p. 207). Civil society may represent a serious challenge to the power of the dominant group when it no longer reinforces its hegemonic position (1971, p. 239). When conflicting positions emerge in the realm of civil society, it invites instability between political society and civil society, and opens up possibilities for the rebalancing of social forces. Gramsci writes:

If the ruling class has lost its consensus, i.e. is no longer “leading” but only “dominant,” exercising coercive force alone, this means precisely that the great masses have become detached from their traditional ideologies, and no longer believe what they used to believe previously, etc.

This makes counter-hegemonic ideas an important strategy of class struggle and political transformation.

Often, critical criminologists seeking to identify the sanctioning power of civil society have turned to organised civil society groups, such as local NGOs, and their defence of people against state criminality (see MacManus, 2018). However, applying Gramsci’s insights, there is also space for recognising that local NGOs may not always constitute an “organic expression” of the masses (Gramsci: 1971: 97). Their interests and aspirations, for instance, may align more with the ruling classes, and they may have little connection with the masses. Furthermore, scholars may struggle to find examples of open defiance of civil society to state crimes because of the level of brutality exercised by the state against opposition forces. As scholars of resistance have often pointed out, headline-grabbing protests and visible forms of *organised* political resistance are a luxury rarely afforded to powerless groups (Gramsci, 1971, p. 101; Hobswam, 1959, pp. 1-16; Scott 1990, pp. 136–37, 183).

Acknowledging this, scholarly observations of the history of subordinate groups, and

their everyday acts of resistance, amplify our understanding of how people may censure and challenge powerholders. Subordinate groups, for reasons of their safety and security, may therefore 'pursue precisely those forms of resistance that avoid any open confrontation with the structures being resisted' (Scott 1990, p. 87). Prior studies of slaves, peasants, tenants, workers, lower castes suggest that acts of dissent and resistance against power holders are clandestine by design and therefore challenging to detect (Thompson 2013a, 2013b; Scott, 1990, pp. 138, 191). Social resistance has often played out historically through out-of-sight speech and practices such as performing careless labour, stealing from employers, squatting on public land, evading rents and taxes, and committing acts of sabotage (Thompson 2013a, 2013b; Hobsbawm, 1971). Subordinate groups often maintain loose organisational structures and even 'reinforce hegemonic appearances' in their need to defend themselves (Scott, 1990). Because these acts are not openly practiced or visible, the resistance of the oppressed tends to stretch the cultural imagination of outsiders (like the international humanitarian community), and is questioned as political or even theoretically relevant (Rude, 2005; Hobsbawm, 1971; Smith, 2001, pp. 2–3, 40–41). When powerless groups do rise up and rebel, history has often treated their short-lived agitations as 'fickle, irrational, and destructive' (Rude, 2005, p.10). Gains made by subordinate groups, likewise, are constantly interrupted by ruling class forces, which has significant resources at its disposal to absorb or quell dissent (Gramsci, 1971, pp. 55, 210-11).

While this may be the case, the resistance strategies of subordinate groups, scholars insist, are no less meaningful or ideological than other forms of resistance that articulate class struggle. Scholars appreciating everyday acts of resistance have stressed the theoretical importance of micro-practices of resistance and the *infrapolitics* of subordinate groups (see, for example, Thompson 2013a, 2013b; Hobsbawm, 1971; Rude, 2005; Scott, 1990). These micro practices, they maintain, are invaluable sites of social commentary on hegemonic power relations and may even disrupt class domination through legal and illegal means. For example, referring to the social power of squatters in relation to their challenge to dominant property relations, James Scott comments that 'the accumulation of petty acts can, rather like snowflakes on a steep mountain, set off an avalanche' in terms of tipping the balance of property relations (1990, p. 192).

Bringing these insights back to state-crime theory, and its interest in seeking acts of moral censure from below, scholarly work on everyday practices of resistance advocates for a careful reading of the behaviours of subordinate groups during open interactions with powerful actors and behind closed doors. This approach also entails paying close attention to how social reactions expressed in public may contradict those expressed in private. James Scott, for example, decodes resistance by considering two dimensions of political life that are in constant interplay. These two dimensions are the *public transcript*, comprised of the social discourses and performances that happen out in the open, and the *hidden transcript*, that which happens *offstage* amongst subordinates and away from the surveillance of power holders. Scott derives his insights about everyday practices of resistance from the discrepancies between these two transcripts, and from the rare moments in power relations when these two worlds collide and culminate in overt rebellion (1990, p. 6).

The overarching theme is that, although subordinate groups may *perform* compliance with hegemonic norms and rules, there is an offstage world of subversive acts and speech that must be interrogated and considered as resistance to the very rules enforced by power holders (Scott, 1990, p. 136). Following subordinates back and forth between the public and hidden transcript illuminates the capacity of subordinates to challenge their oppression and exclusion from the formal economy and political life (Scott 1990, pp. xiii, 138, 191, 193; see also Thompson, 2013a). It is therefore not necessarily ideological domination that prevents populations from openly censuring dominant power, but the ruling class forces of ‘surveillance, reward, and punishment’ that keep populations silent and in check (see Scott, 1990, p. 193; Foucault, 2012a; Cohen, 1985; Cohen and Scull, 1983, Rose, 2000; Garland 1990, 2001; Wacquant, 2000).

Resistance is therefore defined by subordinates constantly testing the limits of ruling class power (Lasslett, 2018). Once lines are crossed without incurring punishment, dissident acts may push the boundaries of what is possible, setting new limits and revealing weaknesses that can be exploited. Elaborating on the social balance of forces between dominant groups and the oppressed, Scott explains:

A dominant elite under such conditions is ceaselessly working to maintain and extend its material control and symbolic reach. A

subordinate group is correspondingly devising strategies to thwart and reverse that appropriation and to take more symbolic liberties as well. (Scott, 1990, p. 197)

In this chapter, I will use these characterisations of everyday resistance to explore the political force of resistance strategies around land that are not instantly recognisable but pose significant challenge to state-humanitarian structures of power. I will then link the mobility and occupation strategies of Haitians with previous forms of resistance to land issues.

II. Contextualising Haitian Resistance to State Crimes Around Land

From the Haitian revolution to agricultural development, there are many examples of marginalised communities working together to resist oppression and cope with social and political crises (see, for example, Smith, 2001; Wilentz, 1989; Bell, 2001). As Smith notes, Haitian resistance strategies have largely been ignored because their challenges against dispossession and injustice reflect the difficulties of openly defying the power of the Haitian state, landholding elites, and foreign governments. Given the invisibility of these actions, repeated claims are made that Haiti ‘has no real civil society’ (Smith 2001, p. 3).

The focus of my thesis is urban housing and its intimate relationship with land struggles. Therefore, my concern is with the everyday strategies used by Haitians to demand their share of the benefits that accompany access and rights to land. Land is a vital means for guaranteeing subsistence needs are met (such as housing). Property rights, within capitalist societies, are also demonstrated to influence social practices of citizenship and belonging, affecting discrimination and exclusion for those denied such rights (see Radin, 1992; Holston, 2008; Vergara-Camus, 2014). Property theorists have also underscored how the lack of access to land in propertied societies inhibits the individual realisation of personhood, and erodes experiences of freedom and dignity (Radin, 1982). Similar to other contexts, the prominence given to land ownership by Haiti’s marginalised classes throughout history is entwined with a deep-seated desire for the type of freedom that comes with land possession, including the freedom from material and social oppression and the opportunity for ex-slaves to overcome intergenerational poverty (Sheller, 2012; see also Vergara-Camus, 2014).

In thinking through the relationship between land, mobility and resistance, I will use

the historical concept of *marronage*, a form of slave resistance formerly practiced in Haiti, as a framing device. *Marronage* is an historic strategy of mobility and land occupation that bears a structural resemblance to the motivations and methods of post-earthquake land occupations. Of significance is that both the end of slavery and the development of customary land rights in rural Haiti are the direct product of *marronage* and *marronage*-like practices.

During time of French colonial slavery, *marronage* was a term used to define the deviant acts of slaves who ran away from plantations (Manigat, 1977). Though historical interpretations of *marronage* vary, scholars and historians maintain that it symbolised the rejection of the colonial order, with some asserting that it represented the most obvious ‘expression of class struggle in a slave-master society’ (Manigat, 1977, p. 424). *Marronage* existed in two distinct forms in colonial Haiti: *petite marronage* – slaves absconding for short periods of relief from their brutalisation and forced labour; and *grand marronage* – slaves successfully escaping the plantation system (Lundhal, 1992, p. 15). Most often, *marronage* involved slaves taking refuge on the hilltops directly above Haiti’s sugar plantations to places that offered ‘the ability to survive *tant bien que mal* [as best they could], with a modicum of independence’ (Bellegarde-Smith, 2004, p. 223). Acts of *marronage* constituted high-risk, mobility strategies that provided an escape from systemic colonial violence, and often entailed stealing basic provisions from plantations to escape to the Haitian frontier (2004).

Not unlike the present, slaves’ everyday acts of resistance, embodied in *marronage*, were downplayed by colonial authorities as basic survival tactics with no significant bearing on colonial power dynamics or appraisal of their rule (Maginat, 1977). As such, absconding slaves (*maroons*) were classically described in colonial documents as lazy, savage, and delinquent fugitives, suggesting there was no higher purpose to their methods of short-lived escapism (1977). This view has since been disputed by scholars and historians with a more critical read of historical documents. They point out that absconding slaves inherently challenged the colonial order by refusing to avail themselves as property of a particular master (1977). Maginat argues that individual acts of *marronage* were highly significant to the development of a collective revolutionary consciousness, which in turn, nurtured the Haitian revolution. The congregation of absconding slaves, through different variations of *marronage*, hastened the slave revolt by bringing together small bands of insurgents who were motivated to destroy the

colonial system and appropriate land as their own. C.L.R. James' carefully detailed account of the late-eighteenth century slave revolt in St. Domingue-Haiti emphasises this point:

Those whose boldness of spirit found slavery intolerable refused to evade it by committing suicide, would fly into the woods and mountains and form bands of free men – maroons. They fortified their fastnesses with palisades and ditches. Women followed them. They reproduced themselves. And for a hundred years before 1789 the maroons were a source of danger to the colony. In 1720, 1,000 slaves fled to the mountains. In 1751 there were at least 3,000 of them. Usually they formed separate bands, but periodically they found a chief who was strong enough to unite the different sections. Many of these rebels struck terror into the hearts of the colonists by raids on the plantations and the strength and determination of the resistance they organised....(2001, p. 20)

Historical accounts of *marronage* imply that such practices constituted the limited power of slaves to challenge colonial structures and behaviour deemed intolerable. Manigat (1977) stresses that slaves' mobility decisions often took place when 'the threshold of acceptability has been crossed,' such as starvation, inhumane standards of living, or generalized violence on the plantation. As Manigat writes: "The maroon has taken it upon himself to run away from the "order" of the civilised world which for him is "disorder," contrary to nature' (1977, p. 422). The *maroon* was subsequently labelled a rule breaker in colonial society for daring to assert freedom and autonomy (1977).

In relation to practices of *marronage*, scholars have since use the phrase "voting with their feet" to characterise Haitian resistance practices that embody similar patterns and objectives. Haiti's post-independence period is illustrative of this. When the newly formed Haitian state decided to reinstate a share-cropping model of production that closely resembled the plantation system (see Chapter Three), *marronage* was again practiced as a method of protest and rejection of the forced appropriation of ex-slaves' labour power (Hedlund et. al., 1990, p. 52). The post-colonial plantation system was in fact toppled by exploited workers fleeing the plantations and squatting on the rural frontier (Sheller, 2012). Unlike the colonial administration, the new Haitian state did not have the same coercive means to conduct surveillance and control the movements of plantation workers (Lundahl, 2002, p. 332). Absconding plantation workers thus took advantage of the opportunity to occupy land and meet their own needs as subsistence farmers, just as their ancestors did though their acts of

marronage.

These recurring examples have suggested something historically and culturally distinct about the logic of Haitian resistance, and the use of mobility and land occupation strategies to escape excessively oppressive circumstances (Lundahl, 2002, p. 335). Lundahl writes that Haitians demonstrate a kind of cultural readiness to apply the ‘squatter alternative’ as a way of facilitating their exit from repressive situations. Sheller (2012) also suggests mobility strategies operate as Haiti’s “hidden transcript.” In her perspective, Haitian mobility patterns are revealing of the subordinated class’s desire for autonomy, the exercise and limits to their class power, and their thresholds of acceptance of dominant class relations underpinned by land inequality. She concludes that while mobility strategies have provided means of escape, it is access to land that has truly offered the Haitian peasantry ‘a key terrain for wresting power’ (Sheller, 2012, p. 173). These are all important insights for assessing the political significance of squatter movements in Haiti.

III. Resistance to Post-Earthquake Land Violence and Exclusion

III.I Camp-based rebellions to humanitarian governance

Taking land from needy landless residents and putting it back into circulation for accumulation and productive use, was arguably the most egregious outcome of state-humanitarian settlement closures. Given the fate that awaited them outside the camps, landless Haitians inside camps began to subvert and thwart the camp-by-camp implementation of the Rental Subsidy Cash Grant (RSCG) programme. During a March 2014 interview with one the coordinating staff for the RSCG programme, he admitted that at least seven settlements had openly rebelled against state-humanitarian plans for them.²²⁴ Settlement leaders had vocalized their intention to stay, and in some instances, barricaded the entrance of the settlement to prevent the entry of humanitarian staff or state authorities.

Sometimes, blockades at settlement entrances were measures of protest against the limited housing package on offer and not the intention to permanently live in the camp (as discussed in Chapter Four). For example, Acra was an overcrowded settlement of 32,000

²²⁴ Interview, humanitarian official 50, Port-au-Prince, 20 March 2014.

people whose leadership refused to accept the short-term rental grants offered by the humanitarian rental grant programme. According to Elie, settlement leader and housing advocate, Acra's population had no intention of staying and building homes within the densely-crowded settlement; however, they did intend to use their occupation to leverage access to land. The settlement sat on a plot of land claimed by the powerful Acra family and Raynold Georges, the former lawyer for President Jean Claude Duvalier (DOP, 2013). The settlement leadership, who had formed an inter-settlement network of activists called *Changem Leson*, explained that they refused to leave their tented city until their demands for land and housing were met by the state. The leadership also contested the legitimacy of the claim of the private owners and maintained that the land was in fact state owned (DOP, 2013). When I brought this particular case back to the international humanitarian organisations, those I spoke with dismissed Elie's social justice campaign as an unachievable dream given the land claims by the Acra family and the Haitian state's indifference to their plight.²²⁵ According to humanitarian actors, Acra's land occupants would have no option but to return to their former position as renters.

Elie, his wife, and the *Changem Leson* network in Acra camp formed a housing cooperative called *CHAL* (Coalition for Housing Action and Savings) and deployed group members to identify potential land plots, with a view to negotiating their movement to another location. This act linked with their ultimate goal, which was to 'build a new Haiti that is self-sufficient and one where the popular masses can flourish instead of being terrorised by Haitian and foreign governments.'²²⁶

The Acra settlement's acts of resistance drew a hugely repressive response from local authorities and powerful land claimants. In February 2013, heavily armed men, presumed to be linked to the government, stormed the settlement and set parts of it ablaze, leading to the death of a five-year-old child, and the destruction of the tents and possessions of 4,000 families (CEPR, 2013). Two months later, the camp faced another round of attacks and intimidation. This time, Jean Claude Duvalier's former lawyer showed up at the settlement, with the Haitian police and magistrate judge from the Delmas Commune, to threaten the settlement's residents

²²⁵ Interview, humanitarian officials 40 (1 August 2014) and 7 (21 April 2014), Port-au-Prince.

²²⁶ See the *Changem leson*. Accessed on 4 October 2017. Retrieved from <https://chanjemleson.wordpress.com/about/>

(DOP, 2013). The Defenders of the Oppressed (DOP), a Haitian NGO, gathered witness statements after the event and concluded that the lawyer had ‘...told the camp residents that he would kick them out with fire or would bulldoze the camp’ (DOP, 2013, p. 2). The next day, settlement residents thwarted another attempted arson, which was reported to the authorities but ignored by the police. When residents closed off the road adjacent to the settlement for a protest march, police responded with brutality. Two male protestors were picked out of the crowd and taken away – one of whom was allegedly beaten to death while in police custody. State prosecutors, at the request of Duvalier’s former lawyer, filed criminal charges of arson and conspiracy against DOP lawyer, Patrick Florvilus, who was advocating for an investigation of the police murder of the settlement protestor (Bell & Synder, 2013). Repeated death threats against Advocate Florvilus eventually forced him to flee to Canada. This loss, combined with the untimely death of Elie in 2015, weakened the settlement’s resistance to closure. By 2016, four years after the earthquake, the settlement could no longer hold out against the state, private land claimants, and humanitarian bureaucracy. The settlement was closed that year, illustrating the extreme challenges of land occupants to maintain their land control in the post-earthquake period.

Chegar was another settlement that resisted eviction by the humanitarian-state rental grant programme. The Chegar population rejected the RSCG rental grants and asserted their desire to stay on the land they had occupied. This tented community of three hundred people particularly took issue with humanitarian terminology. During interviews, Chegar’s leadership and some families insisted they were living on the land as a community with occupation rights. They rejected humanitarian labels portraying them as a group of internally displaced people (IDPs) seeking *temporary* refuge and awaiting humanitarian support to “return” to exploitative rental conditions.²²⁷ Over time, communication between humanitarians and Chegar residents broke down. Calling themselves the ‘place of the homeless’ (*Chegar des gens sans abri*), Chegar’s residents tried to secure their tenure by covertly building concrete foundations underneath their white, tents – intending to unveil their new houses when they had constructed just enough to make it more difficult to evict them.

As with the Acra camp, the humanitarian sector refused to acknowledge Chegar’s

²²⁷ Interviews, Chegar residents, Port-au-Prince, 2 April 2014

tactics as legitimate resistance against humanitarian-led evictions and legal enclosure of the city. Instead, the humanitarian officials I spoke with, who were struggling to register the settlement for the RSCG programme, denounced the settlement leadership as ‘a bunch of gang leaders’ whose criminal motivations drove their occupation behaviours. Their discourse about Chegar echoed public statements made by local authorities implicated in violent evictions around the city. For example, the mayor of Delmas Commune Wilson Jeudy frequently claimed that humanitarian-provided tents provided to displaced people had been appropriated by gangs for their criminal activities.²²⁸ Humanitarian discourses about Chegar included a disparaging narrative about the ‘poor and helpless women who were being trapped by their gangster husbands and relatives.’²²⁹ During interviews, however, it came to light that the humanitarian officials touting this narrative about vulnerable Haitian women held captive by violent Haitian men had never personally interviewed or interacted with any of the women living inside the settlement.²³⁰ While this settlement still existed at the end of my fieldwork, follow-up on this case indicated that state threats of violence against the community continue to persist and destabilise the settlement.

Both Acra’s and Chegar’s experiences demonstrate two important points about resistance against humanitarian-led settlement closures. They show the difficulties of rejecting the rental subsidy programme, and the ways in which state-humanitarian actors worked to delegitimise land claims and resistance tactics. We see from these examples that the Chegar community was labelled a band of criminals, and that the people from the Acra camp were framed as a group of social justice dreamers, ostensibly too naïve to understand that their right to housing was an impossible reality in the face of poverty and earthquake destruction. In both cases, the communities encountered strong state and humanitarian push back, sometimes with violence, revealing the restricted space for opposition to state-humanitarian plans.

²²⁸ See Haiti Libre, Strong Operation of Destruction of an IDP camps in Delmas, 25 May 2011. Available at <http://www.haitilibre.com/en/news-3026-haiti-social-strong-operation-of-destruction-of-an-idp-camps-in-delmas.html>

²²⁹ Interview, humanitarian official 50, Port-au-Prince, 20 March 2014.

²³⁰ Interview, humanitarian official 50, Port-au-Prince, 20 March 2014.

III.II Insubordinate renters and mass exit to the urban frontier.

Unlike the residents of Chegar and Acra, most people living in camps did not benefit from powerful challenges to the camp closure process. Even if people strongly disagreed with leaving their free accommodation in a post-earthquake settlement in exchange for short-term, humanitarian rental grants, they struggled to mobilise and resist their expulsion. Some Haitian civil society members blamed this on the individualised RSCG approach. Families were manipulated by aid strategies that made them think they could lose both their access to land and their entitlement to any form of housing aid if they rejected the RSCG programme.²³¹ Yet, instead of actually returning to the rental market, many of these families took their cash grants and purchased land illegally in the rapidly emerging informal settlement of Canaan.

In Canaan, most of my interviewees had previously lived in post-earthquake settlements and suffered expulsions by state-humanitarian officials before making their way to the informal settlement. While people held mixed views about living in post-earthquake settlements inside Port-au-Prince, they were united in their perception that they had been forced to leave the settlements. Some confirmed that the informal settlements were indeed miserable places to live given poor conditions and high levels of insecurity. Casseus, a 47-year-old father of three, described his anxieties associated with living in an overcrowded settlement inside Port-au-Prince:

The problem was that it was no place to raise my children for the two years that we lived there. I don't think that the camps were necessarily bad places full of bad people – but we just didn't know who they [others in the camp] were.²³²

Nevertheless, not everyone raised issues about their time in post-earthquake settlements. Those who lived in smaller settlements had more favourable views of their living situation than those who lived in settlements with large populations. One family in Canaan described their expulsion:

We would have preferred to stay in the camp – things were much easier when we lived in the city. But we were not given the option to stay in the camp, and we could not stay in the city because of the cost

²³¹ Interview with Haitian housing activist 1, Port-au-Prince, Haiti, 25 October 2013.

²³² Interview 15, Village des Pêcheurs, 20 June 2014.

of rent. What could we do? Outside the camp, Port-au-Prince is too expensive for us.²³³

This family, like several others interviewed, felt they had no choice but to register under the humanitarian-led RSCG programme. They explained, that they had to register and receive the grant, or receive nothing at all. Interviewees vividly recounted how they feared the Haitian police during these settlement closure processes, describing how the police made final visits to their settlements to ensure all tents and people had been removed.²³⁴

Some families receiving rental grants connected with informal brokers selling land. Half of my interviewees in Canaan had purchased their land by using the humanitarian rental grants, strictly intended for renting houses inside Port-au-Prince, to purchase land in the burgeoning illegal land market. All were fully aware they were meant to rent houses under the RSCG programme, but outright rejected the humanitarian goal for them to ‘throw the money away on rent.’²³⁵ From the perspective of an insubordinate rental grant recipient, there was no reason why the upward trend in city rents would suddenly reverse itself. They reported that rents had increased by 25–35% since the earthquake. One man explained why he resisted using his rental grant to return to the rental market in accordance with the programme’s requirements:

The money [cash grant] has been critical for us to buy land here, even if they [humanitarian organisations] told us we must rent houses. But the rental houses are too expensive. A 3,000 Haitian dollar²³⁶ rental property (per six months) became 4,000 rental property within a year after the earthquake. This is too expensive. First the house is expensive, and second, we must spend money on school for our children, for food, for everything else that we need. And this is on top of the fact that all prices, including houses, have all increased.²³⁷

As earlier mentioned, to qualify for the humanitarian-issued rental grant, families were required to identify a safe (earthquake-proof) home, sign an agreement with the landlord that they would rent the house for a full year, and de-register from their settlement (i.e., promise

²³³ Interview 3, Village des Pêcheurs, 17 May 2014

²³⁴ Interview 3, Village des Pêcheurs, 17 May 2014

²³⁵ Interview 20, Village des Pêcheurs, 24 June 2014.

²³⁶ Haitians often talk of prices in “Haitian Dollars.” 5 Haitian Gourdes (official currency) = 1 Haitian Dollar. In 2012, 3,000 “Haitian dollars” equalled around US \$355.

²³⁷ Interview 19, Village des Pêcheurs, 22 June 2014

not to return). Once these conditions were met, the cash grant was either dispersed into the bank accounts of the family or of their new landlord, depending on the model of the rental subsidy program implemented by the participating humanitarian organisation. It was in this context that rental subsidy recipients proceeded to *negotiate deals* and *sign fake rental agreements* with Port-au-Prince landlords who were offering housing that met the criteria of the rental subsidy programme. Such deals allowed them to ‘sign their name’ but ‘not their feet’ – to reference a familiar Haitian proverb that implicates mobility as a familiar tactic of resistance (*vous signé nom moi, mais vous pas signé pieds moi*) (Sheller, 2012, p. 166). The grant money was then taken to the new informal land market emerging on the northern periphery of Port-au-Prince. A UN-Habitat staff member, highly dismissive of the restrictive and disciplinary nature of the humanitarian rental programme, said that at one point her staff had stated that more than ten families had used the same home to claim the rental subsidy grant, as evidence of the frequency of this type of subversion.²³⁸ She alleged that both landlords and the local staff of humanitarian organisations, who were implementing and overseeing settlement closure processes, had received a cut from the grant-recipient families to allow them to use their grants for illegal land purchases.

My fieldwork found various tactics by which populations expelled by the RSCG programme used their humanitarian grants to fund their resistance to the programme’s overriding aim to transform them from squatters back into precarious renters. Family splitting is another example. In a handful of instances, families explained that they had split up before or during the distribution of humanitarian rental grants in order to claim more than one rental subsidy grant. The purchase of subsistence items (food, water, clothes, etc.) and the desire to buy more than one parcel of land were the two most commonly given reasons for trying to obtain more than one rental grant.

Giving further context to how this played out, my fieldwork encountered another example. Jean was a 22-year-old man, who in the four years he had lived in a post-earthquake settlement inside Port-au-Prince, had met and married Annie, another settlement resident.²³⁹ Despite this change in their family status, Jean and Annie could not register as a separate

²³⁸ Interview, humanitarian official/housing expert 35, 10 June 2014.

²³⁹ Interview 1 and 2, Village des Pêcheurs, 15 April 2014.

household, suffering the consequence of how humanitarians promoted nuclear family units without accounting for how family structures change over time (see Schuller, 2012b). Like any newlywed couple, Jean and Annie were eager to set up their own household. They viewed humanitarian restrictions that disqualified them from receiving aid packages as unacceptable and an assault on their freedom, dignity, and personhood. The couple decided to challenge the system by moving to another settlement where they purchased a tent and identity card from another family who wanted to leave the settlement to live in Port-au-Prince. In this way, Jean and Annie were eventually able to qualify for a separate rental grant, which they used to illegally purchase land in Canaan near their parents – who had done the same with their grants. In summary, my fieldwork documented countless examples of landless populations finding ways to subvert the RSCG's aims without engaging in direct confrontation with the programme's administrators.

IV. Discourses of Resistance to State-Humanitarian Crime

Recalling Chapter Four, humanitarian-constructed categories of city residents – *displaced*, *non-displaced*, *renter*, *owner*, *returnee*, and *squatter* – reinforced constructs about victims, their experiences, and their entitlements that are key to the functioning of disaster capitalism. This labelling was not only rejected by Haitians, but as earlier mentioned, had little connection with how Haitians framed their own experiences. Taking a closer look at the hidden transcript in Canaan – the alternative ideas, values, and goals expressed by post-earthquake squatters – we find emerging discourses that apply sanctions to state-humanitarian housing initiatives because of the ways these institutional actions reproduce injustices and increase exposure to harm. The counter-hegemonic discourses articulated by Canaan's land occupants reveal an alternative vision of who should have rights to unused urban land and how such rights are innately connected to the fulfilment of human need, as well as necessary for remedying historical injustices. They are furthermore revealing of the practices of resistance used by RSCG recipients to exit repressive circumstances and negotiate new terms of urban citizenship, freedom, and belonging.

IV.I Defining harm and victimisation

In this thesis, I have identified the failure of humanitarian characterisations of Haiti

and the importance of labelling to the construction of humanitarian power over displaced people. Taking these claims to the informal settlement of Canaan, my fieldwork failed to find a single interviewee who self-identified as an IDP (*déplacés*), despite having lived in a humanitarian-labelled camp at one point. Despite probing for individual use of humanitarian labels to make claims to land and housing, I found minimal understanding or perceived advantages of humanitarian labels. At the home of one land occupant, the family produced their camp-based identity card during our discussion about humanitarian identities and management systems. Without much enthusiasm, the head of the family explained: ‘A *blan* [foreigner] gave me this card, but I don’t know what it means.’ This lack of knowledge, which evidenced the bureaucratic function of humanitarian identity constructions, and not the protection function of such identities, was supplemented by frustration about international identity constructions. ‘We are not *déplacés*,’ emphasised one Canaan land occupant, ‘we are a *community* of people struggling for land.’²⁴⁰

Amongst Canaan’s land occupants, distributive inequalities were central to the interpretation of the January 2010 earthquake and its disproportionate effects for landless urban residents. In stark contrast with humanitarian discourses that centred on *disaster-specific* displacement, land occupants’ descriptions of suffering went far beyond the earthquake’s events and spatial geography. Conversely, Canaan’s land occupants characterised the earthquake as a pivotal moment in their lifetime of repeated exposure to harm. Not just an isolated event, the earthquake brought to the fore their marginalised and precarious social position, while reproducing an age-old struggle for land between the Haitian elite and dispossessed underclass. The earthquake brought class differences into stark relief and mobilised landless people to take new bolder risks in a period of uncertainty and chaos, to remedy their multi-layered conditions of precariousness. This alternative narrative voiced by Canaan’s residents is



Figure 1 Photo of Squatter Homes in Canaan Settlement

²⁴⁰ Interview 15, Village des Pêcheurs, 20 June 2014.

significant for exposing the motivations, justifications, and social justice goals behind extra-legal land occupations. What becomes apparent in the people's narratives of their experiences is their complete rejection of state-humanitarian return initiatives as a legitimate policy for earthquake victims. People's 'active taking of space,' as Dean Mitchell (2013, 10) phrases it, was a valid social response to state-humanitarian harm and violence.

Personal accounts of tactics employed to avoid renting in the city were amplified by harrowing stories of endemic poverty and vulnerability to violence as a result of perpetual mobility and lack of place and belonging. When I asked a middle-aged couple living in the informal neighbourhood of *Canaan 3* about the 2010 earthquake, they summarised their life as one of endless forced migrations. What emerged from their narrative was an intense dislike for Port-au-Prince. The couple saw Port-au-Prince as an overcrowded, dirty city that harboured only slightly better economic opportunities for neglected rural people. The couple felt stateless in their own country given the way they had wandered from place to place without political recognition or attention to their suffering. Though the couple had stronger community ties to their birthplace in Gonaïves (northern Haiti), they were compelled to leave it several years prior to the earthquake, after Hurricane Jeanne ripped through Gonaïves and destroyed their homes and livelihoods.²⁴¹ Without state support, the couple struggled for three years to rebuild their home before finally giving up and migrating to Port-au-Prince to find work. After ten difficult years of dealing with informal work, dangerous neighbourhoods, and exorbitant rents, the couple faced new tragedy when their rental home and belongings were destroyed in the January 2010 earthquake. They then purchased land illegally in *Canaan 3*, hoping to put an end their constant mobility and re-victimisation. Even so, their hope for establishing a *home* was tempered with scepticism about whether or not finding a secure place to live was really achievable for Haiti's urban precariat. As Jesula, the wife of the couple, put it:

After everything that has happened to us, I have no attachment to any place. It is only my husband who still has the dream that one day we will find a place to stay.²⁴²

²⁴¹ Hurricane Jeanne, which affected 80% of the city, was another preventable Haitian disaster that caused massive landslides as a result of deforestation.

²⁴² Interview 38, Canaan 3, 15 July 2014.

Stories of constant vulnerability to harm were echoed by many of Canaan's residents interviewed during the fieldwork. A few neighbourhoods away, in *Village des Pêcheurs*, 47-year-old Samuel recounted a story similar to Jesula's. For Samuel, it was the decline in agricultural production in the 1980s that compelled him to migrate to Port-au-Prince as a young man. Samuel anchored his narrative around the various factors of exploitation he had encountered since coming to Port-au-Prince. These experiences underpinned his transitory experience in the city and justified his illegal purchase of land. After arriving in Port-au-Prince, Samuel was never able to afford university or fulfil his desire for educational improvement and a better job – 90% of universities in Port-au-Prince are privatised and economically out of reach (INURED, 2010). Jobs were difficult to find, and at the time of the earthquake, the menial jobs that Samuel had performed had all disappeared. In the face of limited work opportunities and stagnant incomes, the cost of rent, food, schooling, and other basics were always increasing in the city. As Samuel saw it, without access to land, which he saw as the basis for establishing a *home*, he had no way to protect his family from rising costs or improve their economic well-being. He spent twenty-five years – more than half his life – moving from one overcrowded and poorly serviced slum neighbourhood to the next. 'Before the earthquake, I never spent more than one or two years in one house,' Samuel explained. 'What happens is that you live in a house, and then it becomes expensive. You are forced to leave and find a cheaper one.'²⁴³

These journeys from peasant villages to the urban underworld were marked by strong contempt amongst Canaan's occupants for the unjust and exploitative rental market that they had been forced into as a result of state neglect to ensure sufficient housing supply and affordability. Once in the city, people's stories laid bare the intersecting vulnerabilities derived from the lack of access to urban land and affordable housing. Canaan's occupants reflected on the daily anxiety they experienced when renting homes in Port-au-Prince as rents ruthlessly outpaced their actual earnings in the informal economy. One land occupant described renting as an inescapable, traumatic experience prior to the earthquake:

What is not good about having to rent a house is that you never have the money. You are always waiting for the six-month deadline when your landlord will demand payment [for rent]. Your heart is always

²⁴³ Interview 20, Village des Pêcheurs, 24 June 2014.

beating.²⁴⁴

Living on the streets or moving down the economic ladder to a cheaper neighbourhood or rental home always implied greater exposure to physical violence and health-related risks. In one instance, an unexpected illness put the head of the family out of a job. Within a few months, the family could not pay their rent and found themselves squatting in an alleyway that also functioned as a public toilet. The smell, flies, and lack of privacy were unbearable, but this was their only choice given their intersecting problems of unemployment and lack of decent, affordable housing in the city.

Sometimes, the contempt for the unjust rental market and their spatial segregation in dense, overcrowded slums was demonstrated by their references to cultural myths and symbols. Illustrating this, one occupant named Marie protested her insufferable housing circumstances prior to the earthquake by discussing them using voodoo references that imply the risk of harm:

When you can't pay, you must find the least expensive house. So, you keep moving to a cheaper and cheaper house. You are trying to raise your children – but each neighbourhood you move to is worse than the previous one. You encounter *loups-garous* [evil spirits] in the bad neighbourhoods you have moved to.²⁴⁵

In voodoo culture and religion, *loups-garous* are humans who have turned themselves into werewolves in order to commit various types of evil acts, especially attacking one's neighbours (Simpson, 1942; Wilentz, 2013, p. 169). *Loups-garous* are known for threatening and killing children at night while their parents are sleeping. By making reference to *loups-garous* during discussions about renting, occupants like Marie expressed their fears about the risks to their children when families had little stability or control over their housing choices. Their insecure tenure, characterised by frequent, downward mobility to dangerous neighbourhoods, was a hugely objectionable aspect of renting that people sought to overcome through their subversive acts of mobility and land occupation.

By protesting their former status as renters, Canaan's occupants clearly outlined a

²⁴⁴ Interview 23, Village des Pêcheurs, 26 June 2014.

²⁴⁵ Interview 15, Village des Pêcheurs, 20 June 2014.

relationship between the rental market and class domination. People contested relations of dependency and dominance between renters living on the margins and the propertied elite, which underpinned their feelings of inferiority, enslavement, and lack of self-worth. Land occupants often vilified former landlords for their abusive treatment of powerless renters. One father impugned his former landlord for repeatedly harassing him in front of his four children:

My landlord was always putting me down because, without a steady job, I struggled to pay rent. He always let us know that he could dispose of us anytime he felt like it.

Others similarly disparaged greedy and unsympathetic landlords who extracted maximum amounts for rent but refused to “wait a single day” before evicting households for overdue rents. People’s lower-class position and housing precarity made them vulnerable to consistent exploitation by unscrupulous landlords in the form of inflated rents or instantaneous eviction. Verbal exchanges between landlords and households in arrears were filled with dehumanising insults that put the moral character of the tenant into question. Encounters with landlords were forceful moments in dominant power relations that were hated by the demoralized renters. For this reason, land occupants explained that realising freedom depended on their exit from the urban housing market and the unequal class relations sustaining it. Such feelings were articulated by one squatter in the following manner:

In Haiti, when you can’t pay for your home, the landlord will evict you within a day. When he throws you out, he will also let you know that he is evicting you because his home is the result of his hard work and you are not worthy of it. Only when you finally have your own home can you feel free because you no longer have to suffer from these harsh words.²⁴⁶

Another former renter who now occupied land in Canaan voiced similar objections to class domination facilitated by the rental market:

You aren’t treated like a human if you rent houses. Landlords can do anything to you – even switch off your electricity if they are bothered or want to intimidate you.²⁴⁷

Both observations unmask deep motivations for land that go far beyond fulfilling

²⁴⁶ Interview 47, Mozyik, 1 August 2014.

²⁴⁷ Interview 25, Mozyik, 28 June 2014

subsistence needs. Post-earthquake, extra-legal land occupation constituted an important form of protest against class-based land control and property relations. This protest is grounded in how lack of land access perpetuates conditions of exploitation, and is related to how lack of land undermines personal dignity and the feeling that one can make a personal or social contribution. Access to land thus operates both as a remedy to past conditions and as an opportunity to achieve the same freedom and respect afforded to Haiti's landed class.

IV.II Defining Perpetrators of Land Violence and Exclusion

Land occupants' narratives did not simply identify the aspects of urban renting that they deemed harmful and illegitimate, which was the basis for contesting the RSCG programme and state-humanitarian treatment of housing issues. When airing their grievances about precarious urban living, squatters directly attributed their experiences of land exclusion and violence to the actions of the landowning elite and Haitian state, and the international actors upholding their social dominance. Humanitarian agencies were also named as perpetrators of harms against landless people, especially in relation to their administration of housing aid. Sanctioning the practices of the powerful, land occupants asserted their vision for land redistribution and the realisation of their rights to land and housing.

According to Canaan's land occupants, Haiti's landowning elite (the *grandon*) had violated social norms by voraciously accumulating land using whatever means available to them, including violence, intimidation, and fraud. Regardless of the *grandon's* criminal practices, occupants criticised elite accumulation of land because it infringed on the ability of the urban masses to equally enjoy the benefits of land access. Occupants believed that all Haitians should have basic entitlements to land, and that enforceable limits should be placed on how much land single households can possess. They pointed to a series of small-scale evictions²⁴⁸ on the periphery of Canaan as evidence that landowning elites were preparing to lay siege to the booming informal settlement and re-appropriate the settlement land for their own purposes. As one man living on the edge of Canaan said worryingly:

Before the earthquake no one was looking at this unused land.
Now the *grandon* want part of this land because we have made it

²⁴⁸ The Mozayik eviction, discussed in Chapters Seven and Eight, has been documented. Available at <http://www.snagfilms.com/films/title/mozayik>

profitable and a better place to live.

Canaan's residents reproached elites for leaving their land plots empty and not putting them into productive use. This was particularly offensive given the chronic lack of land access for the urban poor. A group of students in the settlement berated Haiti's elites for their use of land that defied common sense by elevating the social use of land over its commodification and use in production processes. This was illegitimate and a problem that needed to be addressed by the Haitian state. In the words of a twenty-two-year-old university student:

There is a difference between rich and poor [in their land behaviours]. The rich people are using their land for investment and profit. Those people have no intention to live on the land. But there are people like us in poverty [who need it]...and the state isn't saying anything about it.²⁴⁹

There were some Canaan occupants who entirely rejected possessive individualism and the notion of private property rights, seeing that enclosure processes had produced a system of unequal access amongst Haitians. This was unacceptable to occupants who argued that land *should* be treated as a natural resource rather than a legally protected possession. In this alternative framing, the only way that communities could thrive and deal with the repercussions of urban life was if land was readily accessible and shared amongst the people living in Port-au-Prince.²⁵⁰ Some occupants explicitly stated that they preferred living in Canaan as opposed to other neighbourhoods in Port-au-Prince because, at the moment, it offered equal access and equal rights to the land. This dynamic would change as the settlement developed. However, these debates illustrate the strong desire for equality as a key principle for guiding post-earthquake decisions about land use, housing, and the distribution of property rights.

Apparent from the student's statement above, identifying elites as perpetrators of urban landlessness veered into discussions about the state's role in protecting elites and preventing land access. In social struggles over land, land occupants complained they were at a disadvantage. The Haitian state had been filled by the *grandon*. People perceived an undemocratic state imposing the will of wealthy Haitians during political and social conflicts

²⁴⁹ Interview 49, Village des Pêcheurs, 1 August 2014

²⁵⁰ Interviews 19 (22 June 2014, Village des Pêcheurs) and 45 (23 July 2014, Onaville)

over land. This contravened their normative vision of the state, which was to protect and promote the well-being of its citizens. Such notions were relayed by one land occupant living in the *Village des Pêcheurs* neighbourhood of Canaan:

A state exists to take care of the people. It should be like the relationship between a father and his sons. The father provides for his sons. He does that so his sons can go ahead and do good things in their lives.²⁵¹

Occupants held the view that the state's key function was to enforce limits on the predatory accumulation of land by the elite, which was directly related to their (the occupants') lack of housing and miserable urban conditions. Haitians commonly referred to their state as sleeping – a metaphor used to describe their sense of abandonment, especially during the exercise of class power and violence. Such feelings led one resident of the *Mozayik* neighbourhood of Canaan to vent his frustration in the following terms:

It is the role of the state to bring support to us here and to help us face the great obstacle that the *grandon* [the landowning elite] is to our lives.²⁵²

Another *Mozayik* resident agreed:

The government must give the *grandon* a limit so they will no longer destroy the houses of the people.²⁵³

These perspectives are enlightening as they show which state and private actions were considered harmful and morally reprehensible.

Land occupants' representations of harm are strikingly incongruous with state-humanitarian descriptions of Haiti's victims in the post-earthquake period. The state and humanitarian organisations explained disaster-related harms without naming perpetrators, pointing to natural causes and Haiti's 'lack of development' (see Chapter Four). Their explanations shied away from confronting the criminality of the state in advancing accumulation practices that directly produced disaster-related harm and violence. In contrast,

²⁵¹ Interview 20, Village des Pêcheurs, 24 June 2014.

²⁵² Interview 24, Mozayik, 26 June 2014.

²⁵³ Interview 25, Mozayik, 28 June 2014.

by painting struggles for land and housing as the consequence of unequal class relations, and the uneven distribution of land underpinning them, land occupants articulated their strong desire for greater state regulation of land use and distribution. By doing so, they demanded protection from predatory accumulation.

The collusion between humanitarian actors and landowning elites was identified as problematic by some squatters. They contested the lack of transparency around the use of humanitarian funding and the huge discrepancies in housing packages between former home owners and former tenants. There was also a strong impression that the international humanitarian community had exploited earthquake victims as commodities to obtain funding for themselves and the state. One squatter observed the following of state-humanitarian dynamics:

All of the NGOs that came from abroad wanted to help with human rights, but they got blocked by the government who did not want us to have the land. And they [humanitarians] are now more likely to work with the State. And this makes the State even more powerful against us. The state is pocketing their money – and they [humanitarians] are not defending or being responsible to the people.²⁵⁴

IV.III Justifying Extra-Legal Occupations as Legitimate Housing Strategy

Canaan's land occupants were fully aware that they had illegally purchased land, that they lacked legal status on the land, and that they could be evicted at any moment. At the same time, they firmly believed they had a right to occupy state land. Unlike narrowly constructed humanitarian categories, anyone who was part of the landless urban poor was included in their categorisation of an earthquake victim and had a right to occupy Canaan. By asserting that Canaan was public land, interviewees vehemently denied the competing claims to Canaan by private individuals or companies (land claims to Canaan are discussed in Chapter 7). Notwithstanding their obvious interest in insisting that Canaan was publically not privately owned land, interviewees raised Haiti's complicated land history as justification for rejecting any alternative claim to the land as legitimate. They recounted both pre- and post-earthquake examples of wealthy landowners using violent or coercive methods to evict squatters from city

²⁵⁴ Interview 23, Village des Pêcheurs, 26 June 2014.

land plots (presumed public), and then turn to the judicial system to achieve legally recognised property rights.

In essence, land occupants constructed the legitimacy of their occupation on the grounds that all social classes were treating the earthquake as another race for rights²⁵⁵ in Haiti's ambiguous property system (see Chapter Four). Occupants wondered why their appropriation of land was stigmatised and considered unlawful when landed elites committed similar illegal acts on more valuable pieces of land, which unlike landless people, they did not *need* to survive? Drawing out these comparisons between the social classes, and calling out the selective criminalisation of the poor, were ways that people justified their land claims in Canaan.

Land occupants further vindicated their acts of resistance and occupation by referring to their marginalised status in Haitian society and the repeated failure of the state to fulfil the occupants' rights as citizens, and as human beings. The state's criminal actions and failure to protect people from harms triggered by the earthquake meant that it now owed the people – a popular belief percolating in discussions about land claims. In accordance with what was moral and just, the state was now required to recognise their land claims. It did not matter how land was obtained, the state must now work toward establishing equal treatment amongst citizens of different social backgrounds and fulfil its obligations to them. This reasoning is evident in the statement of Jean Louis, an occupant in *Village des Pêcheurs* neighbourhood:

Everyone knows that the state owes the people. Our state has responsibility for its people – after all, I am a Haitian citizen. So far state has never recognized us. But now, the government must recognize us on this land because not everyone has the possibility to rent houses in Port-au-Prince. We should have an opportunity for a better life.²⁵⁶

In Jean Louis's view, state authorisation of land occupants' rights in Canaan ought to include state recognition of the social and economic importance of land for everyday life.

Canaan's land occupants justified their resistance to state-humanitarian programmes and their illegal occupation of Canaan by pointing to the generational harms behind their

²⁵⁵ See Alden Wiley (2009, pp. 33–34) and Fitzpatrick et al. (2012, p. 7) on the competition over property rights that arises from crises and population displacement when property systems are contested or unsettled.

²⁵⁶ Interview 19, Village des Pêcheurs, 22 June 2014.

suffering. They referred to their ancestors' experiences of French colonialism, and slavery in particular, when discussing the chain of actors responsible for their ongoing suffering and their land-related response to mitigate it. As part of the explanation for their land behaviours and housing strategies, land occupants would mention Jean Jacques Dessaline, a venerated leader of the Haitian slave revolt.²⁵⁷ On several occasions, impassioned discussions about occupation processes and the legitimacy of land claims were linked to General Dessaline's radical overthrow of colonial plantation owners, who were responsible for unfathomable violence and misery. They invoked Dessaline's story to show that popular revolt was sometimes justifiable and necessary to address grievances. One land occupant justified his land claim in Canaan in the following way:

[On housing] we cannot start with today. We must go back and ask what Dessalines died for: it is our land issue. In Haiti, we have millions of hectares of land that are empty -- really empty. So, our problem is not that we do not have land. We have it. But it has never been given to the people. To get it we must act like Dessalines. A warrior never knows when he will die, he only needs to know that he is working for the people.

Other exchanges with squatters in Canaan echoed these comments. Interviews held in the *Mozayik* neighbourhood, similarly justified land occupations using Dessaline's revolution as a key element of their argument:

We have the right to this land because Dessaline *died for us* [emphasised by the interviewee pointing at the group]. He died to give *us* land. But you see, we haven't received it yet.²⁵⁸

This consistent reference to General Dessaline, and the unfulfilled dreams for land for ex-slaves, is underscored by how the informal settlement received its name in the first place. Interviewees explained that the name Canaan symbolises a journey to the promised land. Their struggle mirrored the biblical narrative of Abraham and his descendants, who suffered from slavery and a long and hard journey to achieve a place of belonging. Canaan was therefore open for occupation to *any* victim of Haiti's long history of suffering. Occupying state-owned land in Canaan distributed land to the landless and was reparation for past harms.

²⁵⁷ For more about Dessaline's role in Haitian history, see Wilentz (2013 pp. 13–14).

²⁵⁸ Interview 25, Mozayik, 28 June 2014.

While it was a rare for squatters to make reference *only* to the earthquake when justifying their land claims, it did not mean they excluded the earthquake as a factor in their land behaviours. Families formerly confined to overcrowded slums talked about the trauma of having a ‘city fall on top of them’ during the earthquake. This experience had a serious psychological effect on families who went on to occupy land in Canaan as a matter of personal safety and disaster prevention. A former basketball coach at a Haitian secondary school recounted that his wife was trapped under the rubble of their home for three days after the earthquake. Severely traumatised, she refused to live in Port-au-Prince. In this instance, it was earthquake-related trauma and fear or re-victimisation that compelled their resistance to returning to densely constructed neighbourhoods. The function of land as a remedy and method of protection from future victimisation is illustrated in the following statement:

Many of my family members died during the earthquake, and I suffered from them dying. But now I have land and the state must recognize what I have lost, and that this is my opportunity to be safe and live a better life.²⁵⁹

While earthquake-related experiences of death, destruction, and violence were not the primary reasons given for land occupation, they were a factor.

IV.IV Defending Land Banditry and Brokerage

Similar to Eric Hobsbawm (2001) account of social banditry, people selling land illegally often received support from people in Canaan, illuminating yet another way that communities expressed their resistance to the dominant system of land control and property rights. Land occupants’ appreciation and support for land sellers making a profit off the illegal sale of land contrasted with state-humanitarian portrayals of them as property bandits. To the state-humanitarian actors, Canaan’s land sellers were a detestable group of Port-au-Prince gangsters, opportunists, and fraudulent brokers enticing people to purchase land they would never be able to *legally* own. This is not to say that unscrupulous land sellers did not exist in Canaan. Haitian police and community leaders in the area both reported incidents of land sellers selling a single plot to multiple families. But within my sample of interviewees, most of

²⁵⁹ Interview 15, Village des Pêcheurs, 20 June 2014.

whom had paid for their land, I failed to find anyone who spoke negatively of land sellers (which as I will discuss below was not because of fear of reprisal). Whereas state-humanitarian actors condemned Haiti's property bandits for *challenging* private property rights and *spoiling* urban development plans (see Chapter Eight), land occupants privately heralded land sellers for advancing their social justice agenda and demands for people-led reconstruction. Such reactions suggest, mirroring Hobsbawm's insights, that social banditry often becomes a precursor or companion to major social movements, particularly in times of social breakdown (Hobsbawm, 2001, p. 27).

For people who found it impossible to exercise citizenship in their own city, land sellers were heroes. This was because they facilitated access to a desperately coveted resource that was always out of reach. The irony was that whilst humanitarians lauded *themselves* as Haiti's saviours, my research found that any hero label given by landless people was reserved for people actually engaged in land struggles and pushing ahead redistribution (see also Scott, 1990, p. 191). Madame R.,* the chief land broker in *Village des Pêcheurs*, exemplifies this reality. At the beginning of my fieldwork, land occupiers were hesitant to identify Madame R. when asked who had sold them their land. They were obviously protecting her identity from someone that they did not know. However, after confirming that Madame R. was the exclusive broker for *Village des Pêcheurs*, I asked questions about her role in selling land more confidently, which in turn elicited more open responses once people recognised my level of understanding. At no point did interviewees complain about Madame R's land practices, prices, or plot sizes. Instead, she was portrayed as an avenger of land inequalities. A young woman from the settlement described Madame R. by saying:

I heard Canaan was once a *grandon* [elite landowner] piece of land.
But then, there was a lady, Madame R., and she fought for the
people. She fought to take this land, and then she gave it to us.²⁶⁰

Other supporting evidence of the squatters' positive view of land sellers is seen in the way squatters avoided describing their interactions with land sellers as monetary transactions. Rather than say that land brokers sold land plots, they might say 'Madame R [or other sellers] *passed* me the land.' These word choices, arguably, reflect a mind-set about the constructive

²⁶⁰ Interview 20, Village des Pêcheurs, 24 June 2014.

role that land sellers played in facilitating access to land.

In other examples of the hero-like status attributed to land sellers, some occupiers commended Madame R.'s organisational abilities for rescuing them from settlements on the verge of humanitarian closures. It appears that from 2013–2015 (or perhaps earlier), Madame R. was moving in and out of post-earthquake settlements in Port-au-Prince, using the intelligence she obtained about humanitarian settlement closure schedules to provide rental subsidy evictees with options to purchase land in Canaan. While this was certainly a successful business model for Madame R., it was a great relief to families being victimised by the closure of their settlements, and who were painfully aware that the meagre rental subsidies would barely cover their housing and subsistence needs for a year.

Djerry and Mona are two land sellers from the *Mozayik* neighbourhood. Prior to the earthquake, Djerry worked illegally in the U.S. before being deported back to Haiti. He and Mona had grown up together in the Delmas neighbourhood of Port-au-Prince, making a living playing and writing Haitian folk songs that provided social and political commentary on the Haiti's predatory state.²⁶¹ Their political history is interesting because it foreshadowed their willingness to challenge Haitian power structures. Djerry explained that after he and Mona identified the boundaries of the new village of *Mozayik*, they arranged for the families evicted from post-earthquake settlements in Port-au-Prince to move into their new village. The *Mozayik* story is unique because most of the evicted families banded together to find another place to live after their eviction. The villagers all paid US\$300 each for a land parcel – slightly less than the amount they were given under the RSCG programme. Djerry called this a community tax which paid for the administrative services he rendered to the community.

How land sellers such as Madame R., Djerry, and Mona continued to work on the behalf of land occupants is discussed in the subsequent chapter.

V. Conclusion

The purpose of this chapter was to illustrate the deliberate forms of post-earthquake resistance around urban land that exposed, defined, and challenged state crime. Relying on

²⁶¹ See Largey (2000) on Haitian folk music and its role in resistance to the state.

theoretical and empirical examples of resistance, Haitian strategies of mobility and occupation have been framed as common ways that Haitians vote with their feet to critique power relations. These strategies repudiated the unjust and harmful behaviours of powerful groups, enhanced individual freedoms, and created opportunities to overcome entrenched patterns of structural violence.

From 2010 to 2015, landless Haitians in displacement camps were targets of violent evictions and unjust managerial approaches that aimed to re-house landless people in the very neighbourhoods that were the site of unspeakable destruction. Inside camps, Haitians were subject to scrutiny and surveillance with limited opportunity to stay on public land plots that offered better housing conditions, or use their occupation to bargain for a better housing package than return to slum neighbourhoods. Many who did not succeed in resisting camp closure enacted small-scale forms of resistance to the rental subsidy programme and its implications for long-term housing insecurity. It is through resistance to the rental subsidy programme that Haitians exited the city and occupied the urban periphery. Shown from the discourses of the people living in Canaan, their actions and motivations for moving to Canaan are intertwined with the desire for a more sustainable and just way of living in the city. This wayward settlement of people expelled from the city as a result of legal enclosures should not be underestimated. It tipped the balance in land relations and made the rejection and distaste for housing inequalities more visible in post-disaster Haiti.

Chapter Seven

State Criminality and Counter-attacks on Canaan's Informal Settlements

This chapter explores the dialectical nature of Haiti's post-earthquake land struggles by taking an intricate look at the Canaan settlement. Here, I will engage with two broad themes and their interrelationship. First, I will analyse Canaan's development from a tiny squatter site to a lively hub on the urban periphery, characterising people's assertion of their "right to the city."²⁶² Through processes of self-construction²⁶³ and property-making,²⁶⁴ I show how Canaan's land occupants turned land that they had grabbed back from the state and Haitian elite into their own homes and neighbourhoods. This alternative reconstruction process fulfilled the desire of land occupants to secure adequate housing and create a much safer space for living. The settlement's progress, however, challenged the superiority claimed by humanitarian actors to "Build Back Better." Humanitarian achievements in terms of house construction alone was dwarfed by the hundreds of thousands of self-constructed homes built in Canaan, in addition to new markets, schools, churches, and other key infrastructure.

This positive outlook on Canaan as an illustration of people-led reconstruction is countered by the toxic politics and criminogenic political economy surrounding Canaan's establishment. The social power displayed in Canaan posed an obvious threat to established power relations and prompted new patterns of criminality and violence targeting thriving squatter communities. Canaan's land occupants and their successes faced attack by state officials, large landowners, and criminal gangs with state ties, who seek to profit from the land insecurity and vulnerability of new squatter communities. We find Haiti's dominant classes

²⁶² The right to the city traces its roots to Marxist geographer Henri Lefebvre's works *Le Droit à la ville* (1968) and *The Production of Space* (1991). Lefebvre theorised the hegemonic production of space and its reversal, arguing that spatial inequalities was a key driver of the social reproduction of capitalist exclusion within the city. Building on this, David Harvey (2008, 2012) similarly argues for the 'right to the production of space' and the 'right to the city.' For Harvey, the 'right to the city' calls for individuals to have the right to organize their own spaces of living according to their own needs and realities in the city. This right manifests a broad mandate for social groups to reclaim the city for anti-capitalist struggle.

²⁶³ By self-construction or 'autoconstruction,' I refer to efforts undertaken by excluded communities to construct their own houses and build habitable neighbourhoods (see Holston, 2009, pp. 8-9).

²⁶⁴ Legal geographers – such as Nicholas Blomley (2004) and Sarah Keenan (2014) – have paid close attention to non-legal ways that excluded communities construct property rights. Keenan (2014) argues that property is spatially contingent and not simply a "subject-object" formation. In adopting this view, she discusses property-making as the social networks, norms, and understandings that operate through space and disrupt dominant systems of meaning about who belongs where. Keenan's work counters that of liberal property theorists who view property rights as historically determined and legally fixed.

constantly reacting to the subversive tactics of land occupants, and always seeking to rebalance modifications made to power relations.

This backlash from Haiti's elite foreshadows a second theme characterising Haiti's post-earthquake land struggles: re-victimisation. In Canaan, we find that social aspirations to create a land of opportunity, which is described as a buffer zone between land occupants and the oppressive city, are continually challenged by forces of violence. This chapter documents multiple instances of abuse as squatters attempt to transform the built environment and secure rights to land and housing in the settlement. State-initiated and state-facilitated violence makes Canaan another zone of exclusion and exception (see Agamben, 1998). It starts to unravel the image land occupants have for alternative living and protection from everyday urban violence. As these dynamics unfold in the settlement, they also evidence how state-humanitarian rental subsidy programmes increased the vulnerability of populations expelled from camps to other criminal practices of the state and its accomplices. Little by little – as illustrated here and further in the next chapter – Canaan's settlements become re-entangled with the same predatory forces of urban reconstruction that drove people out of the city in the first place.

I. A Brief History of Pre-Earthquake Canaan

Canaan's land history brings Haiti's dynamics of political contestation, state power, and legal repression into sharp relief. Before the 1940s, this land plot was used for agricultural production (URD, 2012). During Haiti's dictatorship, parts of Canaan were expropriated by President François “Papa Doc” Duvalier for public use. It appears that Duvalier intended to use the land to develop a luxury tourist area to be controlled by Haitian elites.²⁶⁵ Yet, for unknown reasons, it was never built. It was suggested during the fieldwork that offshore gas and oil reserves discovered in the area may have halted Duvalier's tourism development plans.²⁶⁶

When development plans stalled, Canaan's empty fields were co-opted for the campaign of terror launched by the Duvalier dictatorships. In the 1970s and 1980s, state paramilitaries, infamously known as the *Tonton Macoute*, used Canaan as killing fields for

²⁶⁵ Interview with Haitian Lawyer 2, Port-au-Prince, 3 April 2014.

²⁶⁶ Interview with Haitian Lawyer 2, Port-au-Prince, 3 April 2014.

executing and burying members of the political opposition and others opposing the regime. At the time of writing, mass graves were still being discovered in different parts of Canaan.²⁶⁷ In 2010, Canaan was still being used as a graveyard for people victimised by the state. The 2010 earthquake dead were piled onto trucks and driven to the area to be disposed of in mass graves next to the victims of the *Tonton Macoute*.²⁶⁸ Described shortly, this prior land use becomes important in relation to the ways that Canaan's land occupants constructed their role in transforming the area.

Today, Canaan is the subject of a land conflict between three parties: the Haitian state, private landowners/companies, and land occupants. In the absence of a functioning land registry, it is unclear how or when parts of Canaan shifted back to private ownership after Duvalier's expropriation of the land in 1971. However, after the 2010 earthquake, 300 individuals claimed property rights to different land parcels in the sweeping area of the Canaan settlement (Katz, 2013). These claims were presumably linked to the opportunity structure provided by the earthquake to grab land while the state remained weak and land value soared (Katz, 2013). Of these property claims, the most legitimate came from a Haitian property development firm called Nabatec S.A., which has been able to produce a land title, historical documents, and witnesses verifying its ownership (Nabatec, 2010). Nabatec's claim constitutes 13.3% of the 18,500 acres of land that comprise the Canaan area (URD, 2012). More than half the current Canaan population lives on land claimed by Nabatec.²⁶⁹ East of the Nabatec-owned land is a smaller parcel believed to be owned by the state. On the west side of the settlement, near the Port-au-Prince commune of Caberet, the delineation of property rights is unclear and more contested. Eviction risks within Canaan have been affected by where residents live and the different land claims to different parts of the settlement.

Nabatec's conflict with squatter communities is important because of the company's prior intention to turn parts of Canaan into a free trade zone. Between 1998 and 2003, the property development firm approached the Haitian government with an urban development

²⁶⁷ Ghosh, B. 2010. Haiti's Mass Graveyard of Old and New Nightmares. Time. Accessible at http://content.time.com/time/specials/packages/article/0,28804,1953379_1953494_1957248,00.html

²⁶⁸ Ghosh, B. 2010. Haiti's Mass Graveyard of Old and New Nightmares. Time. Accessible at http://content.time.com/time/specials/packages/article/0,28804,1953379_1953494_1957248,00.html

²⁶⁹ Interview with humanitarian official 3, London, 10 June 2014.

plan for the northern extension of Port-au-Prince. Documents sourced from Nabatec show that the firm not only pursued its development plan for Pole Nord with central government officials, but also sought support from three mayors from the Port-au-Prince communes surrounding all sides of Canaan. The Haitian firm was well-positioned to lobby state and local authorities, having undertaken several expensive development projects in Haiti, including shopping centres and elite neighbourhoods (Katz, 2013). Nabatec's investors also comprised a consortium of some of Haiti's most powerful families; the company had generated high revenues prior to the earthquake (Katz, 2013, pp. 178–79). As further evidence of the company's close and privileged relationship with the state, Nabatec's CEO and President, Aby Brun, represented the government on several reconstruction committees after the earthquake (Katz, 2013).

In 2009, Nabatec put forth a vision for private sector-led urbanisation for Canaan that was accepted by the Haitian government.²⁷⁰ Nabatec's 56-page plan (*Habitat Haiti 2004*), also sourced during the fieldwork, maps out the following four sectors in which Nabatec would lease its land to the Haitian government and carry out the following activities on it: (a) the establishment of an IEZ with two industrial parks and (b) house construction (presumably for factory workers) (c) construction of government and corporate offices and (d) the development of a luxury tourist resort. With the aid of the U.S. government (particularly then-Secretary of State Hillary Clinton), Nabatec and the Haitian government identified Korean garment companies to invest in the free-trade zone (Washington Post, 2016).²⁷¹

In essence, the Nabatec development project promised to transform the northern area of Port-au-Prince into an “organised” and “efficient” model of market-led urbanisation. Yet, the stated objectives of the plan arguably showed its intention to expand the vulnerability of the lower social classes by co-opting Haitians into factory jobs and mortgaged housing. The World Bank and the U.S. government have long claimed that IEZ's can offer Haiti job creation and foreign investment opportunities (IFC, 2011). However, not only do IEZ's give foreign corporations the benefit of untaxed investments of capital and the profits generated in Haiti,

²⁷⁰ The close relationship between the Haitian firm and then-President René Preval, as well as the firm's vision for private sector-led urbanisation, is partially explained in a letter dated October 29, 2009, obtained during the fieldwork.

²⁷¹ Stated in government letters (dated in 2009) obtained during the fieldwork.

labour exploitation is rife within the factories established within these zones. All twenty-four garment factories in Haiti, usually established in its free-trade zones, have been accused by the International Labour Organisation (ILO) of wage exploitation and failing to enforce minimum wages (Fatton, 2014). Proving this analysis correct, SAE-A, a South Korean company facing allegations of labour exploitation, had been selected to open the first garment factories in the free-trade zone to be established in Canaan (Sontag, 2012). SAE-A had been the subject of controversy for its poor treatment and exploitation of cheap labour in other countries, such as Guatemala, in making clothes for well-known American clothing suppliers, including Wal-Mart and the Gap (Sontag, 2012). Nevertheless, SAE emerged as a preferred investor for Haiti's new IEZ via lobbying by the U.S. government (Sontag, 2012).

In addition to the IEZ, Nabatec also proposed to construct a housing development (Village Lathan II) that hardly satisfied the housing needs of the most marginalised. Village Lathan II was only pitched for low-middle income households. Furthermore, Nabatec's *Habitat Haiti 2004* plan specifically states that "ideal candidates" for its housing development were people with 'a decent level of revenues...a certain level of education and skills, a stable family structure, an aspiration for a clean environment and good living conditions, good education for their children' (Nabatec, 2010, pp. 8–9). To access Nabatec-constructed homes, Families (likely factory workers) would be required to sign on to a 15-year lease-to-purchase scheme, and over the course of this time period, would need to pay over \$28,000 for their home – an astronomical sum for most Haitians (Nabatec, 2010, p. 31). Moreover, Nabatec's vision for housing stands in stark contrast to the way Canaan is currently being used by squatter communities.

After the earthquake, then-President Preval faced significant pressure from the U.S. government and humanitarian actors to make land available for the *temporary* relocation of IDPs from Port-au-Prince camps (especially for populations residing on private land). In particular, these international actors wanted to relocate people from the Petionville Golf Course Club camp – a camp sitting on a piece of land with significant commercial interests. This foreign pressure on President Preval was a significant factor in his decision in March 2010 to expropriate 5,000 hectares of land in the Canaan area (including Nabatec's land), through his Declaration of Public Utility (Déclaration d'utilité publique). The government's

declaration of public utility, importantly, was not meant to strip Nabatec of its property rights. In fact, Nabatec's CEO, who sat on the reconstruction commission, helped identify his own land for a temporary relocation project pushed by the U.S. government (Katz, 2013). Nabatec expected a handsome pay-out of US \$ 19 million in compensation for state expropriation of its land.²⁷² Furthermore, the expectation was that Nabatec would eventually recover its land because the relocation of IDPs from the Petionville Golf Club camp was only meant to be a *temporary* measure (Katz, 2013). (In fact, the relocated people from the camp were closely monitored and restricted from building any permanent infrastructure on the relocation site.²⁷³ In short, the expropriation of Nabatec's land was hardly an infringement of the company's property rights. Rather, it was an example of state-corporate collusion, facilitated by international interests and policy-making, that would Nabatec to first profit from the temporary use of its land, and then profit again from the implementation of its urban development plan.

Nabatec's plan, however, went awry when foreign donors refused to use reconstruction funds to pay Nabatec for the state expropriation of its land. The Haitian state's lack of funds to pay Nabatec meant that it could not satisfy procedural requirements set forth in the country's expropriation law, thus setting up a legal challenge to its expropriation from Nabatec.²⁷⁴ The legal complexities, however, did not stop humanitarian actors and American military from quickly relocating families from the Petionville Golf Club camp to a very small relocation site within the vast expropriated area (called *Corail-Cesselesse*). The move essentially resulting in dumping this small group of people in the urban periphery without any tenure security or information on future housing.

While the botched expropriation and relocation was another example of humanitarian

²⁷² This figure of expected compensation was reported by *Time* magazine interview with Aby Brun on November 12, 2010. Available at <http://content.time.com/time/world/article/0,8599,2031102,00.html>.

²⁷³ Interview with humanitarian official 27, Port-au-Prince, Haiti, 6 August 2014.

²⁷⁴ In terms of the procedural aspects of the law, an Order of Declaration of Public Utility must be issued by the government to commence the expropriation process. This Order is meant to clearly demarcate the land to be expropriated. What follows is an official letter or public notice sent out to owners and residents in the area, inviting them to submit their land titles to the Direction General des Impôts (DGI), or government entity responsible for titling all public land and for collecting taxes on real estate transactions (IFRC, 2014). When the sixty-day window for submitting title documents has expired, all title documents are inspected by an expert committee from the DGI and then forwarded to another government committee, which determines the rate of compensation (IFRC, 2014, p. 34). The landowner(s) at this point have the opportunity to contest the rate of compensation and the expropriation itself at a judicial hearing.

actors putting populations at risk of future victimisation, it also had the effect of making people aware of available land for squatting. A small group of people from the adjacent commune of *Croix-des-Bouquet* were some of the first squatters to slowly test the state response by setting up small squats next to the *Corail-Cesselesse* relocation site. In line with the dynamics discussed in Chapter Six, others expelled from humanitarian camps joined these squatters between 2011 and 2015. By 2015, over 200,000 squatters had constructed shelters within the area. With each wave of expulsion and migration, different neighbourhoods and blocks were formed and shifted the density and level of construction. I will now discuss how social and political processes of self-construction and property-making in Canaan emboldened squatters to make demands on the state, and prompting counterattacks on their land gains. This discussion will be framed through concepts of agency and James Holston's (2008) formulation of 'insurgent citizenship.'

II. Squatter Agency and Insurgent Citizenship

As seen in Chapters Four, Five and Six, the political power of post-earthquake squatters rested on their land control and their ability to disrupt the circuits of reconstruction capital and power relations sustaining them (Harvey, 2012; Davies, 2007). However, by gaining land control and disrupting the unequal distribution of property rights, squatters became natural targets for retribution and face immense challenges to maintain their access. Chapters Four and Five illustrated the violent and repressive forces operating to wrest land control back from squatters. These chapters also noted the legal and discursive tactics used by dominant groups to contest squatters' rights to belong in a particular space (Keenan, 2014; Blomley, 2004). As we see in Haiti and elsewhere, the more successful and visible squatting becomes, the more likely it is to invite a heavy-handed response by the privileged classes. This is because people's ability to reclaim the commons, especially when it entails large numbers of people like in Canaan, sets a dangerous precedent for destroying the very foundation of elites' political and economic power (Finchett-Maddock, 2016).

In some of the interdisciplinary literature on land and housing struggles, extra-legal occupations are presented as both political and *politicizing* processes (Finchett-Maddock, 2016; Pruijt, 2013, p. 14; Blomley, 2004; Vasudevan, 2017; Vergara-Camus, 2014). Scholars have noted shifts in class consciousness and revolutionary behaviour arising from the lived

experiences of land occupation and illegal residence. Some have drawn on Gramsci's insights to explain that the autonomy provided in open, unbuilt spaces without governmental intervention offers breathing room for social praxis and mobilisation (see Vergara-Camus, 2014). Others claim that squatting in urban areas can provide marginalised citizens with unique opportunities to put their urban visions and demands into practice (see Holston, 2008; Finchett-Maddock, 2016; Vasudevan, 2017). Such ideas emerge, for example, in James Holston's work *Insurgent Citizenship*. Based fieldwork in Brazil, Holston (2008) not only argues that land occupants in Brazil have disrupted power relations because they have succeeded in taking land out of market circulation, but he also observes more intricate processes whereby squatter communities start to make demands on the state for legally-recognised rights and equal treatment as "propertied" citizens. These demands stem from people's land control and contributions to the urban environment. Holston (2008) crafts the term "insurgent citizenship" to capture how new claims for rights and recognition arise through experiences of illegal occupation.

Holston's formulation of insurgent citizenship is useful for Canaan because it specifically refers to the events taking place on urban peripheries amongst people who have been denied entry and recognition by the legal system. He describes a distinct form of social agency that is connected to the experience of auto-construction. This form of agency, Holston argues, is what inspires a new kind of counter-politics for citizens living on urban peripheries. He observes that such citizens seize the opportunity to transform occupied peripheries 'into a space of alternative futures, produced in the experiences of becoming propertied, organising social movements, participating in consumer markets, and making aesthetic judgements about house transformations' (Holston, 2008, p. 8). These processes, importantly, foreground new struggles for legal and political inclusion because they offer disenfranchised citizens new platforms for arguing their 'right to have rights' (Arendt, 1968). Holston outlines the relationship between auto-constructed agency and new social demands for rights in the following passage:

In the insurgent formulation [of citizenship], the residents of the periphery imagine that their interests derive from their own experience, not from state plans, that they are informed and competent to make decisions about them, and that their own organizations articulate them. They consider this organized

experience the basis for an exercise of citizenship through which they participate in and hold accountable the institutions of society, government and law that produce the conditions of urban life. (2008, p. 248)

In Canaan, the processes and politics of becoming insurgent citizens, as described by Holston, characterised the power struggles between land occupants and the Haitian state. I found that Canaan's squatter communities imagined themselves as having the power to design the urban periphery according to their needs. During interviews, land occupants frequently asserted their elevated and expert position to develop Port-au-Prince due to their grassroots knowledge and personal experiences of suffering. We can also see a similar insurgent-citizenship concept taking root in the ways that land occupants gradually advanced their demands for inclusion and legalisation of their occupied properties. These social behaviours and discourses, illustrated a proactive and emboldened citizenry in Canaan. They also, however, provoked violent reactions by the state and elite forces – as I will describe later in this chapter.

In Canaan, I found occupants had decreased feelings of powerlessness in tandem with increased feelings of personal control over their housing situation. On several occasions, interview questions probing squatters' feelings about the settlement prompted responses that described their arrival to Canaan. To express how the informal settlement nurtured personal freedom, squatters invited me to walk around the settlement with them to convey what it meant to have the power to select a parcel of land that fits one's needs and desires, just as any homeowner weighs the pros and cons of different properties before choosing one. This way of communicating freedom and choice came across in my interview with Jimmy, a squatter who had arrived to Canaan two years after the earthquake and had purchased land on the top of a hill. This location, Jimmy stressed, gave him a crisp breeze and sea view. Having previously lived in an overcrowded, inner-city slum in Port-au-Prince, Jimmy described his good fortune in the following terms: 'Rich people never allow poor people to view the sea – unless they are trapped in it.' As evidence of the relationship between this land parcel and his genuine feeling

of freedom, Jimmy named the shop he constructed next to his home “You can Breathe!” Stories like this evidence the sense of personal power and satisfaction derived from the simple act of being able to choose where one wanted to live in the settlement itself.



Figure 2 Constructing Small Businesses in Canaan

My fieldwork also shed light on gender differences in the way that housing was acquired and produced feelings of liberation as a result of the opportunity to choose land and design one’s home and lifestyle around the security it provided. Esterline, a young woman from an overcrowded slum in downtown Port-au-Prince, leveraged her new land possession to leave circumstances of domestic abuse. She subsequently became an independent entrepreneur in Canaan by building a small coffee roasting stall on her property. Her illegal residence gave her a way out of an abusive situation and gave her economic security. She no longer had the long daily commute from her home to the central market in Port-au-Prince, where she worked as a vendor. This commute, particularly at night, had put her at risk of theft, robbery, and even sexual abuse. Jimmy and Esterline’s stories frame some of the subjugating



Figure 3 Establishing Livelihoods Near Homes

characteristics of the city, underscored in the previous chapter. Similar to empirical descriptions of other global south land occupations (see Vargara-Camus, 2014), these stories reveal the connection between illegal occupation and freedom, where a degree of autonomy is achieved from the social and material oppression experienced in the city.

If independent living establishes new conditions of freedom, it also invites discussion about urban conditions and how to transform them. Away from the state, the market, and humanitarian actors, squatters conveyed a critical consciousness about abject

city life and how they would improve it. This is reflected in the words of Emmanuel, a squatter who previously lived in central Port-au-Prince:

Out here, we do not want to be like the rest of Port-au-Prince, which is constructed badly. The city lacks spacious rooms, houses have no room to expand, and there is no sanitation. We know this because during the earthquake the houses fell on top of us and too many people died. But our community [in Canaan] is going to build differently. We have already decided that all roads in the neighbourhood be at least 10 to 14 meters wide.²⁷⁵

In practice, I observed a number of families along one road who had sacrificed a small percentage of their land parcels to make way for wider, safer roads. They insisted on wider roads as a way to counter slumification. Communities enforced rules about land occupation, house construction, and the aesthetic design of neighbourhoods. These rules articulated their shared norms and values in relation to the organisation of public space and social life. People explained that a certain distance between houses must be maintained as a matter of disaster preparedness. This corresponded with squatters' experiences during the earthquake of having loved ones crushed to death in the narrow walkways between houses in densely populated slums, or being trapped themselves for days without knowing if they would be rescued.

Residents in the community strongly discouraged neighbours from subdividing land parcels. Subdividing is a common strategy in Haitian slums for households to increase their income, but lends itself to overcrowding and overpopulation. During the fieldwork, I witnessed one family being schooled by community leaders after trying to subdivide their land parcel and sell part of it. In the end, the family did not make the sale. Through these methods of informal regulation, even land sellers appeared to follow a code around the equitable distribution of land plots. 'There are limits and regulations here on how much land you can take,' one squatter explained, 'and we are asking everyone living here not to divide their land parcels into two so we can prevent this place from becoming another *bideonville* [slum



Figure 4 Occupants Give Themselves Street Addresses

²⁷⁵ Interview, Squatter 15, Village des Pêcheurs, 20 June 2014.

neighbourhood].’ Countering “slummification” was as basic as giving people street addresses, which instilled a sense of permanency, dignity, and belonging. The excitement of finally having an address underscored the extent to which landless surplus populations in Port-au-Prince longed for recognition as human beings with a fixed place of belonging.

Although squatters had come from different areas and backgrounds in the city, they were united with a shared vision for the settlement. No matter the neighbourhood that I visited, this vision was always conveyed to me as the anti-*Cite Soleil* method of construction and development. *Cite Soleil*²⁷⁶ has a rich and troubled history as the most dangerous and stigmatised slum in Port-au-Prince. It is not surprising that squatters used this particular slum as a cautionary tale and reference point when making decisions affecting their neighbourhood’s design and structures of governance. Their enforced rules around land and housing, described above, connected with an acute sensitivity to the drivers of urban decay and insecurity. Moreover, squatters imagined Canaan as a blank slate where communities – not institutions – held the keys to rewriting Haiti’s urban history.

Not surprisingly, my interview data showed strong contrasts between people repressed in humanitarian-managed settlements and the people living in Canaan. Whereas the former group felt hopeless and dehumanised, Canaan’s land occupants conveyed hope and excitement about their new role in urban development. These sentiments, likewise, connected with a new social identity as a contributor citizen, as described by Holston (2009, pp. 260–63). The ways that Canaan’s occupants reclaimed land and advanced legitimate claims for belonging are empirical examples of communities asserting their ‘right to the city’ (Lefebvre, 1968; Harvey, 2008).

These themes were evident in the way that people evaluated their contributions in relation to their entitlements, as seen in the words of one squatter:

Right before the earthquake this place was a bad area. It harboured bandits who would rob people on the road as they passed to go up north. But each person who comes to Canaan is making it a better

²⁷⁶ Cite Soleil, a Port-au-Prince slum, was formed via the flow of disposable labour from the countryside to urban factories during the 1980s and 1990s. When factories disappeared, as a result of U.S. sanctions, joblessness turned the new settlement into a hollowed-out slum. Today, Cite Soleil is one of Haiti’s densest slums and home to many organised political and criminal groups. It has also been subjected to violent crackdowns by UN peacekeepers in coordination with state authorities.

place. We are bringing trees. We are upgrading this land. People who started by living in plastic tents are now bringing blocks from the city to build sounder houses. One day we will be the ones who made Canaan a beautiful place.²⁷⁷

In speaking about why their land possession should be recognised by the state, squatters compared their contributions to the built environment with the abject failure of state-humanitarian actors to build homes after the earthquake or improve urban living conditions. By no means were their impressions exaggerated. Rather, they originated from an acute awareness of wasted aid money and limited housing built for poor people during the reconstruction (see Chapters Four and Five). These perspectives emerge in the way that one group protested their stigmatisation by Haiti's dominant classes:



Figure 5 Gradual Build-up of the Canaan Settlement

We are the ones decentralizing Port-au-Prince. So many people here have come from the city. The government should be thanking us for accomplishing this.

As opposed to the government or the *grandon* (landowning class), Canaan's squatters had mixed their labour with the soil to create a liveable environment:

We put our hands, energy and effort into clearing this land so that we could all live here. We were even injured doing it! The government has not given us one cup of water, not one penny to live. Everything we have done has been by our own hands, our own courage.²⁷⁸

The dynamics of occupation and auto-construction resulted in solidarity amongst occupants. The settlement was alive with a host of newly created grassroots organisations, such as sectoral committees, women's associations, musical groups, and churches. In *Village des Pêcheurs* and *Vilaj Mozayik*, community committees performed administrative functions for their respective neighbourhoods. These included maintaining family registries, distributing ID

²⁷⁷ Interview, Squatter 48, Canaan 3, 1 August 2014.

²⁷⁸ Interview, Squatter 26, Vilaj Mozayik, 28 June 2014.

cards, and resolving disputes between neighbours. On several occasions, I accompanied community leaders in walks around the settlement, where I observed their positive reception by households. Community committee members told me that regular visits were made to individual households to boost morale and remind the community that they were creating a different life than slum life in Port-au-Prince. This point was reinforced as one said: ‘When you have a beautiful vision like we do, you have to make sure that it does not get lost.’²⁷⁹

While I observed a new energy for change in squatter communities, I do not want to romanticize the conditions or the way that informality signified exclusion from the city. People’s new beginnings went hand-in-hand with a lack water, electricity, and other basic services, not to mention minimal opportunities for steady employment. These conditions also hindered the amount of time people could afford to give to building and consolidating communities. Many of the community leaders in these neighbourhoods had their own political interests. As mentioned in Chapter Six, they were usually benefitting financially from selling land or from providing basic services to the occupants. These dynamics, nevertheless, did not stop community leaders from mobilising squatters at crucial moments, either to demand rights or to protect villages from threats of eviction. In *Village des Pêcheurs* and *Vilaj Mozayik*, squatters were particularly pleased with the energy of their community leaders to make demands for political recognition of their land rights.

III. Building Land Tenure Security

Three years after the earthquake, land occupants began exploring how they could turn their land access into legally recognised property rights to build secure land tenure. This occurred in tandem with the consolidation of the built environment, as new roads, services, and community structures appeared across the settlement. In this section, I discuss how these processes of attempting to legalise land access unfolded and triggered a backlash by state authorities, landowners, and businesses with commercial interests in the land. The challenges that squatters faced must be understood in the context of the criminal opportunity structures that arose in response to people’s illegal residence and their quest for tenure security.

²⁷⁹ Interview, Squatter 27, Vilaj Mozayik, 28 June 2014.

III. I Chasing after property rights.

The risks of violence and/or legal dispossession associated with seeking formal property rights begs the question of why squatters would try to legalise their occupied properties. In the post-earthquake period, squatters had completely overtaken the northern periphery of Port-au-Prince through mass occupation. Many humanitarian actors believed that the Haitian government had lost control over Canaan, and would not be able to remove squatters without serious political consequences.²⁸⁰ As I will show, these assumptions were not only misguided, but they sharply contradicted squatters' own perceptions of their tenure security. This is illustrated by one squatters' opinion about the permanency of her land access:

Today, I am 50% confident that I own this land because I took it and built a house. But I will only be 100% percent confident about my rights to the land when I get papers from the government stating that I own it. That will determine if I can keep living here.

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These concerns connected with the wider motivation of squatters to smuggle themselves into the formal property system. This is a frequent goal of land-related social movements as documented in the literature on land occupations in the global south (see Holston, 2008, p. 204; Vargara-Camus, 2014). This motivation, of course, constitutes the natural response of people excluded from legal property systems (Holston, 2008). If property ownership serves as the basis for exercising citizenship rights, as it does in many societies, then making the giant leap from the *informal* to the *formal* property system can be a form of catharsis for landless people (Holston, 2008). On the one hand, it provides relief from the daily anxiety of insecure tenure, and on the other, it produces satisfaction that dangerous struggles for land were worth it in the end (Holston, 2008).

These affective and political dimensions of achieving legal property rights explain why Canaan's squatters were willing to embark on a risky, rights-seeking process, despite facing numerous obstacles in doing so. As previously discussed, Haiti's legal process is inflexible and prohibitively expensive. Aside from a lack of resources, squatters lived in unprotected areas

²⁸⁰ Interview, foreign government official, Port-au-Prince, 28 April 2014.

²⁸¹ Interview 4, Village des Pêcheurs, 17 May 2014.

with incrementally built homes, minimal basic services, and no law enforcement. Under these circumstances, they were easy targets for criminal gangs from the city.

Fundamentally, squatters lacked knowledge of the legal and institutional framework governing their land claims. This confusion was evident in legal arguments or strategies they put forth to embark on the process. Most people were also unaware about what governing institutions had the power and authority to grant rights to land in the institutional complexity of Haiti's legal system. Some interviewees used President Preval's decree of expropriation (discussed in Section I) on which to base their claims. In my discussions, they pulled out photocopies they kept of the presidential decree, pointing to the document's statements about 'providing land to earthquake victims' as evidence the land was theirs. However, no matter the wording of Preval's expropriation, or its interpretation by squatters, the decree's application did not provide a legal avenue to establish rights to land. As discussed in Chapter Four, Haitian law forbids the state from transferring land that it owns to private citizens.

Even when squatters did comprehend the legal complexities obstructing their claims, they blamed the state for failing to find an extrajudicial solution to address the issue that they were *physically living in Canaan* without an alternative. This desperation for a political solution to address tenure insecurity in Canaan is captured by the following words of a squatter:

The Haitian state really needs to put on its glasses and open up an administrative process so that everyone can quickly have their land recognized.²⁸²

Others voiced practical understandings of how they might achieve property rights. This arose from social understandings of how land access is brokered and maintained outside the legal system. Precarious land claims, in the view of some, could be advanced by someone in power who could sell you your rights.²⁸³ However, this individualistic and transactional strategy for building tenure security was at risk of fracturing new solidarities amongst land occupants. Some categorically rejected the idea of paying for rights because they believed it would eventually undermine the egalitarian spirit of the settlement. This is illustrated by an interviewee's comment:

²⁸² Interview 20, Village des Pêcheurs, 24 June 2014.

²⁸³ Interview, community representative 1, Village des Pêcheurs, Haiti, 24 June 2014.

All of a sudden, not everyone here has the same opportunity. Some say that if we want to get papers for our land, we have to pay for it. But some people have the means to do so and others do not. This will mean that we are not all equal here [in Canaan].²⁸⁴

The problem highlighted here was that, as much as the processes of land occupation and auto-construction had brought people together, individual steps toward building tenure security, through pursuit of legalisation of occupied properties, was now threatening to pull new communities apart. At the same time, it is important to understand how this individualisation, and the turn to riskier routes of paying for rights, was driven by the complex, uncertain, and unjust situation that squatters confronted.

At no point did state authorities enter the settlement to provide squatters with information about their land claims despite clear knowledge that squatters were seeking state recognition. On two occasions, I observed the community committees of *Village des Pêcheurs*, *Vilaj Mozayik*, and other nearby villages approach the nearest local municipality (*Croix-des-Bouquet*) to obtain information from the government about the steps residents could take to formalise ownership of their land plots. The motivation behind these visits to local government offices was to seek clarification about land status with the authorities. As explained by a community representative:

Especially after the earthquake, it is difficult for us to know what administrative department has the authority to give papers showing that you have the land. If we do not have this knowledge, every person here will have to figure out his own way [to legalise properties].²⁸⁵

These bold demands for clarity by community leaders, as a first step toward inclusion in the property system, failed to produce definitive answers about squatters' legal standing in Canaan. Squatters responded to being stonewalled by the state by independently seeking out institutions they believed had the authority to award land rights, or at least help them build their tenure security. One group of squatters said they had approached *Électricité d'Haïti* (EDH) to connect them to electricity, in part to receive a utility bill that could shore up their claims

²⁸⁴ Interview 19, Village des Pêcheurs, 22 June 2014.

²⁸⁵ Interview, community representative 1, Village des Pêcheurs, Haiti, 24 June 2014.

to land in Canaan.²⁸⁶ Others mentioned that once they had enough resources they would approach Haiti's *Direction Général des Impôts* (DGI), the government entity responsible for titling land and collecting taxes on registered properties.²⁸⁷ This demonstrates the kind of forum shopping taking place in Canaan in the face of the official silence of state authorities. The Haitian state expressed no political will to address the mass occupation in Canaan, even though its existence was linked to criminal evictions and state omissions to identify land for housing during the reconstruction period.

IV. Canaan's Patterns of Re-Victimisation and Vulnerability to Harm

As Canaan's squatters struggled to define and claim their rights, they increasingly became the targets of land-related violence and criminal exploitation. Unprotected land occupants were vulnerable to fraud, physical harassment and intimidation, sabotage, and extortion by criminal gangs who entered the settlement and were rumoured to have links to national and municipal authorities. These criminal actions resulted in thefts from resource-poor squatters. This section details some key examples of the re-victimisation of land vulnerable people living in Canaan.

IV.I Fraud, extortion, and intimidation by criminal entrepreneurs.

In the settlements that I visited frequently – *Village des Pêcheurs*, *Mozayik*, *Onaville*, and *Canaan 3* – the exploitation of squatters by criminal gangs followed the same pattern. Gangs would enter neighbourhoods claiming to represent state institutions or presenting themselves as intermediaries of land legalisation processes. Criminal gangs tended to call themselves “annexes” of the municipality of *Croix-des-Bouquet*. Operating as annexes of the municipal government allowed criminal gangs to assert their authority to levy “mandatory” taxes on squatter households. They also manipulated squatters into paying these taxes by providing them with fraudulent information about the government-related services they could provide. Annexes claimed they could legally survey squatters' land and provide them with land titles. When Canaan's land occupants attempted to resist these activities, these criminal gangs

²⁸⁶ Interview 10, Village des Pêcheurs, 19 June 2014.

²⁸⁷ In terms of property registration, the DGI has a responsibility is to register deeds that are submitted by individual public notaries.

resorted to intimidation and harassment to squeeze illegal fees from poor and vulnerable households.

In *Canaan 3*, I interviewed squatters reported that “the annex” routinely visited households demanding they pay 3,000 Haitian gourdes (then US \$46) in property tax. This was an enormous sum of money for families living on less than \$2 a day. For criminal gangs, this form of extortion promised quick and easy money. If all of *Canaan 3*’s 4,483 households²⁸⁸ were subject to the same rate of extortion, it could may netted up to \$200,000 in illegal profits for criminal gangs applying methods of coercion and physical harassment.

Canaan 3’s residents resisted extortion by engaging in clever forms of subterfuge and self-protection. They would, for example, quickly leave their homes whenever they received word that members of the annex were visiting households. Some squatters deliberately slowed the construction of their homes.



Figure 6 Criminal Groups Threaten Land Occupants at Gunpoint

This allowed them to resist so-called official tax collectors by invoking a clause in Haitian property law exempting unfinished properties from taxation. However, it did mean that squatters could not finish their house construction, which in turn could jeopardise the strength of their land claims. While such tactics succeeded in the short term, they sometimes led to violent responses by criminal profiteers. On one occasion, I observed criminal groups in *Canaan 3* soliciting money at gunpoint from squatters.

The squatter neighbourhood of *Village des Pêcheurs* was similarly vulnerable to this type of exploitation. Six months after my first visit to the settlement, a yellow-building labelled “annexe” (annex) was established in the centre. Perhaps due to the element of surprise of seeing a foreign researcher, the individuals claiming to represent *Croix-des-Bouquet* municipality gave me permission to enter the annex building and interview them. This access provided a clearer view of the annex’s criminal activities, their conflicts with squatter communities, and

²⁸⁸ This estimated number of households was provided by the American Red Cross based on their mapping of the area.

their collusion with state authorities in defrauding squatters about measures to legalise their land rights.

The inside of the annex office provided some clues about its activities. It contained only one small table, a few writing utensils, and most importantly, a register with the names of all the people living in the neighbourhood. All five male representatives interviewed in the annex verified their authority by providing me with a yellow card, imprinted with the Haitian government logo, that said: *Bureau of Croix-des-Bouquet*. They stated that the local government had sent them to deal with land conflicts in the village. Their role, they claimed, was to address crime and insecurity stemming from disputes between households. They disclosed that they planned to remove the existing committee of village leaders, who were at the same time trying to negotiate with the local authorities to start the process of legalising land claims. The annex also claimed they were the entity responsible for starting the state-led legalisation process. This claim justified their collection of property tax in the village. By their account, they were intermediaries of the state responsible for providing land surveying services to squatters. In other words, squatters would need to first pay for their land to be measured before the government could calculate the tax that they owed and award squatters land titles on that basis.

This was clearly a fraudulent scheme. The local municipality, for example, has no authority to award legal title to land and Haitian law does not permit squatters to have possession of state land. These gangs nevertheless created confusion that led to the abuse of many defenceless squatters living in *Village des Pêcheurs*. One household paid 1,500 Haitian Gourdes (then US \$23) to the annex with the expectation that they would receive official papers declaring ownership of their land plot. The household not only failed to receive documentation, but they exposed themselves to more extortion. After paying this sum, the household was re-approached by the annex for more money to process their paperwork. (No one, of course, received a receipt for any money given to the annex). This slow bleeding of households illustrates how people chasing their rights were easily deceived and exploited based on their lack of state protection (Holston, 2008, p. 256). Another squatter recounted her experience when the criminal gang arrived at her door and handed her a bill for 6,000 Haitian gourdes (then US \$93). After protesting this bill, which was one-third of what she actually paid for her land, she was instructed to halt construction on her building. The gang told her she

had violated building regulations under the urban code and could not resume construction on her home until her taxes had been paid. In relaying this story, the woman vented her confusion and frustration:

In Haiti, you only see the government when you are working or trying to building something. They won't provide you with anything, but they will obstruct you when you take matters into your own hands. We don't know who the Annex is, but they are handing out official papers to everyone saying they must go down to the Annex building to pay tax. Most of the houses around here have stopped building just to avoid payment. They don't have the money.²⁸⁹

Other squatters faced similar experiences. They showed documents containing the *Croix-des-Bouquet* municipal logo that listed eight documents they must procure to legally build on their occupied properties. It was unclear if this paper had in fact been issued by local authorities, or if it was a forged document meant to coerce squatters into making extortion payments to the annex.

Regarding the links between the annex and state actors, my fieldwork strongly suggests that local officials had colluded with criminal groups to carry out these acts of fraud and extortion. *Village des Pêcheurs* committee members had video footage, secretly taken on a smart phone, of a meeting between municipal authorities and committee members. In this video, local officials instructed committee members to allow the annex to collect property taxes. They were told that the payment would lead to legalisation of squatters' properties. During this meeting, *Village des Pêcheurs* committee members also managed get local officials to agree to lower the rate of property tax. Initially, the local authorities – through the annex – demanded payments of 150 Haitian gourdes per square meter of land. The committee members negotiated a lower rate of 50 Haitian gourdes per square meter. This negotiation may have relieved the burden on squatter households, but it did not change the fact that local municipality lacked the authority to provide land title to extra-legal land occupants. This ultimately meant that squatters would make payments without any real improvement to their tenure security. While it is unclear where this money was going, a local news article dated July 2014 reported that the municipality of *Croix-des-Bouquet* had surprisingly risen to the top ten

²⁸⁹ Interview 49, Village des Pêcheurs, 1 August 2014.

regions in Haiti in terms of tax revenue.²⁹⁰ This suggests, at a minimum, that local state authorities benefitted materially from land occupants while withdrawing protection and refusing to help them advance their claims to land and housing.

Though squatters were trapped in a web of dependency and exploitation in terms of their pursuit of legal property,²⁹¹ they found creative ways to counter these power imbalances. Throughout the summer of 2014, squatters wrote angry messages about annex gangs on buildings and fences around *Village des Pêcheurs*. One such message painted in large letters at the entrance of the squatter neighbourhood read: **Go Away, Thief!** Squatters also burned tires outside of the annex building. These measures failed to drive out the annex completely from the village, but they did send strong messages to the local authorities backing their activities. The community committee members believed that these actions helped lower the amount of money demanded from squatters in the village.

IV.II Forced evictions.

In addition to facilitating fraud and extortion, the Haitian state advanced the interests of large landowners and businesses with interests in Canaan's land. People living on the edge of Canaan near the seaside and Route National 1, were the most at risk due to commercial projects planned in the area after the earthquake. On 7 December 2013, squatters in *Vilaj Mozyik* woke to an unannounced visit by seventeen Haitian police, armed gangs, and the justice of the peace from the *Croix-des-Bouquet* municipality.²⁹² The armed men and police proceeded to terrorise the population and tear down their houses without warning or time to gather their household belongings.²⁹³ Amnesty International reports²⁹⁴ and video²⁹⁵ taken during the eviction show several individuals brutally beaten and injured in the attack, including a woman

²⁹⁰ Haiti Libre, 30 July 2014. "Croix-des-Bouquets in the Top 10 of higher tax revenues." Haiti Libre. Accessed on 8 April 2018. Available at <http://www.haitilibre.com/en/news-11698-haiti-economy-croix-des-bouquets-in-the-top-10-of-higher-tax-revenues.html>

²⁹¹ Holston (2009, p. 256) describes similar processes in Brazilian informal settlements.

²⁹² See Amnesty International's Urgent Action with details of the eviction. Available at <https://www.amnesty.org/download/Documents/4000/amr360052014en.pdf>

²⁹³ Interview with Mozyik community leaders on 11 April 2014.

²⁹⁴ See Amnesty International's Urgent Action with details of the eviction. Available at <https://www.amnesty.org/download/Documents/4000/amr360052014en.pdf>

²⁹⁵ See Jonathan Bougher's video documentation of the Mozyik eviction. Available at <https://www.123vid.net/video/attack-on-camp-mozayik-in-canaan-haiti-ef99c24f108bd7f016171b.html>

who was four months pregnant.²⁹⁶ This exercise led to 200 families being violently evicted from their homes, which were bulldozed shortly after the incident. This was not the first time that *Vilaj Mozayik* squatters had experienced police harassment. Three months prior to their eviction, police officers had entered their neighbourhood twice and destroyed some of the makeshift housing.²⁹⁷ In late January and February 2014, *Vilaj Mozayik* suffered two more attacks by armed groups and police, attempting to evict the remaining families from the squatter site. This time, police used tear gas as well as physical violence on the 100 families still living in the settlement. This violence resulted in the hospitalization of two squatters and the injury of several children and elderly people²⁹⁸

Vilaj Mozayik squatters and community leaders contested the legality of both of these evictions. They were unaware that four landowners had started court proceedings against residents months prior to their eviction.²⁹⁹ Also, no one had been served with an eviction notice before the December 7th eviction. The way the eviction occurred stripped the residents of their legal rights to challenge the order and present their case regarding the arbitrary and violent eviction in court. The *Vilaj Mozayik* community raised other illegal acts in the way the eviction was planned and carried out. In the evening prior to the eviction, squatters reported that thugs had entered the squatter site and taken the names of ten people living there. These ten names subsequently appeared on the eviction notice signed by the justice of the peace and presented to squatters the following morning.³⁰⁰ While ten people were named on the official eviction notice, the demolition operation forcibly removed 300 families from the site. Notwithstanding the illegal aspects of the eviction, the state violated its obligations by failing to provide the *Vilaj Mozayik* community with meaningful consultation prior to their eviction or provide a housing alternative to the evictees.

²⁹⁶ See Amnesty International's Urgent Action with details of the eviction. Available at <https://www.amnesty.org/download/Documents/4000/amr360052014en.pdf>

²⁹⁷ This incident was documented by the Human Rights Section of the UN Mission in Haiti (MINUSTAH) and discussed in email communication dated 30 October 2013, which was obtained during the fieldwork.

²⁹⁸ See Amnesty International's Urgent Action with details of the fourth eviction at Vilaj Mozayik. Available at <https://www.amnesty.org/download/Documents/4000/amr360052014en.pdf>

²⁹⁹ This information was obtained from humanitarian organizations in April 2014, based on an email from the UN Human Rights Section dated 30 October 2013.

³⁰⁰ Interview with 2 Mozayik community leaders, 11 April 2014.

This state criminality appeared to be motivated by a US\$123 million project to build a gas terminal in the neighbouring area of Titayan.³⁰¹ *Vilaj Mozayik* squatters accused Haytrac Power and Gas S.A, a local company, of organising the eviction using state police and armed groups.³⁰² The link between the gas terminal project and the forced eviction was also raised by human rights reports.³⁰³ Haytrac Power, a long-established firm in Haiti, was rumoured to have profited immensely from Haiti's earthquake reconstruction by leasing tractors and other necessary equipment for road reconstruction.³⁰⁴ Haytrac also benefitted from their political connections with the Martelly government. On 23 August 2013 – one week before *Vilaj Mozayik* residents first reported police harassment – Haitian Prime Minister Laurent Lamothe, along with the Minister of Tourism and the acting Minister of Energy Security, officially launched Haytrac's project in Titanyen. At the event, the prime minister hailed the project as a sign of Haitian development and thriving public-private partnerships.³⁰⁵ Around the same time as the evictions were taking place, the government's Center for Facilitation of Investments named Haytrac's gas terminal project, investment of month.³⁰⁶

The human toll of this forced eviction cannot be understated. *Vilaj Mozayik* squatters lost everything they had built over two years, including new homes, planted trees, and basic services they had collectively brought to the settlement. The *Vilaj Mozayik* leaders lamented that the eviction broke their small, thriving community apart by scattering the community's families across Canaan in pursuit of new homes. Most of all, the *Vilaj Mozayik* eviction highlights the perpetual victimisation of landless people during the reconstruction period. This constituted the second major eviction for this group of targeted families (Amnesty, 2015a).

³⁰¹ A video of the project developed by the company. Available at <https://www.youtube.com/watch?v=kJ6Ve1BA8QE>

³⁰² Interview with 2 Mozayik community leaders, 11 April 2014. See also AmCham Haiti. Available at <http://amchamhaiti.com/home/natural-gas-project-takes-hold-in-haiti-by-haytrac/>

³⁰³ This was mentioned in both Amnesty International's report. Available at <https://www.amnesty.org/download/Documents/4000/amr360052014en.pdf> and private communication with UN officials.

³⁰⁴ Confirmed by Hytrac Power's website: <http://www.haytrac.com/about-us/>

³⁰⁵ See <http://amchamhaiti.com/home/natural-gas-project-takes-hold-in-haiti-by-haytrac/>

³⁰⁶ See <https://haitibusinessweek.com/business-news/105/haiti-attracted-25-more-investments-over-the-last-year>

IV.III Sabotaging and fragmenting new communities

In addition to the fraud, extortion, and violence against squatters in Canaan, my research uncovered active attempts by private landowners to lay claim to Canaan by sabotaging new communities and undercutting their pursuit for formal land rights. These efforts destabilised the formation of new community structures and disrupted locally led reconstruction initiatives.

Community leaders from the different squatter sites in Canaan began to establish relationships and build a more cohesive group to advance their land claims. One community platform established by squatter representatives received support from a grassroots Brazilian NGO, Viva Rio, which had prior experience supporting Haitians to organise for social justice goals.³⁰⁷ With the support of Viva Rio, squatter representatives established a group of seventy leaders from the various squatter neighbourhoods. Rather than each squatter site demanding answers from the government about their legal status, the larger group aimed to collectively engage with the national government and put forward a series of demands for their protection and recognition. One demand was to remove the informal settlement in Canaan from the *Croix-des-Bouquet* municipality, and declare it a separate commune with its own local government structure. This demand was motivated by squatters' desire to curb the power of *Croix-des-Bouquet* authorities, who had exploited, harassed, and defrauded squatters. Viva Rio organisers portrayed the alliance between different squatter neighbourhoods in the following way:

Without any outside help, they have developed this strong cohesion amongst themselves. It has been developing rapidly, considering none of these people knew each other beforehand and live across different areas across Canaan. Their social platform includes claims for tenure security and to break away from Croix-des-Bouquet and govern themselves as a different commune in Port-au-Prince.³⁰⁸

Not unexpectedly, this social movement became a threat to large landowners laying claim to Canaan, including Nabatec, Canaan's most powerful claimant. From conversations with various squatters and organisations, it appears that Nabatec's CEO had either directly

³⁰⁷ See Viva Rio's website. Available at <http://www.vivario.org.br/doi-minutos-pela-paz/>

³⁰⁸ Interview with community development organisation, Port-au-Prince, 5 August 2014.

hired or simply partnered with an American business Haiti Recovery and Development Company (HRDC) to destabilise this movement.³⁰⁹ Some informants allege that HRDC formed its own community structure and was attempting to replace the grassroots platform formed by different squatter communities. To accomplish this, HRDC was said to be recruiting poor squatters by offering payment in exchange for political support and participation in this rival community structure. In stark contrast to the grassroots platform shaped by squatter representatives, the HRDC-led platform advocated for modern economic development and the establishment of a legal city that recognised Nabatec's land claim. The rival structure's objectives, in other words, mirrored the objectives of Nabatec to reclaim its land from squatter communities. Viva Rio's description of HRDC meetings offers evidence of the underlying goal to sabotage squatters' claims:

The first time that HRDC invited us to their community meeting, we arrive to see the mayor of Croix-des-Bouquet and some people from Canaan. They revealed their plans to build a modern city in Canaan. They talked upholding Nabatec's private property rights. But their main objective was to build a community platform that would include Croix-des-Bouquet officials, landowners such as Nabatec, and representatives from different neighbourhoods Canaan. We expressed reservations with this proposal but HRD defended it very strongly.³¹⁰

The HRDC, Nabatec, and local government partnership was but another attempt to undermine organic community structures in the settlement by replacing grassroots mobilisation with mechanisms that supported powerful interests.

V. State stigmatisation and de-legitimisation of squatters' land claims

State actors relied on political and legal tactics to undermine squatters' land claims and movements for people-led reconstruction. One tactic of the government was to pass a decree law that significantly reduced the total area of land expropriated, as a method for legitimising future evictions. This decree law (2012) released the north-west part of the expropriated area from state ownership, thus enabling its private sale and ownership. This measure had a direct

³⁰⁹ See Haiti Recovery and Development Company. Available at: <http://haitirecoverydevelopment.com/resettlement-camp-transition/>

³¹⁰ Interview with community development organisation, Port-au-Prince, 5 August 2014.

impact on outer-edge neighbourhoods of Canaan, such as *Vilaj Mozayik*, by excluding them from the state-expropriated area. The decree law was passed quietly with little public awareness or consultation. It laid the groundwork for forced evictions around the outer edge of the settlement and began the process of putting state-expropriated land back into private circulation.

This legal manoeuvre was supplemented with negative state discourses about squatters' true motivations for land occupation. These discourses operated to de-link squatter communities from their histories as earthquake victims and marginalised urban citizens. Politicians and state officials insisted that Canaan housed a mix of populations – not only genuine earthquake victims.³¹¹ State officials claimed that many of Canaan's occupants were in fact rural-urban migrants taking advantage of post-earthquake instability. These assertions lacked proof and could be easily disproven by field research.³¹² Such rhetoric also blurred the link between rural poverty and over-urbanisation, allowing the government to blame rural people for informal settlements and slums (see Davis, 2006, pp. 16–17).

State discourses laid bare the toxic politics practiced by state-elites to undermine land claims *and* public sympathy for Canaan's residents. Once the link was broken between Canaan's squatters and the earthquake as a reason for their occupation, it was easier to define their behaviours as immoral, illegal, and criminal. Government officials frequently portrayed Canaan's occupants as welfare abusers who had stolen state land. This image is reinforced in the following statement by a government official interviewed from the Ministry of Public Works:

Most of the families out there [in Canaan] are not victims. They are not from destroyed houses. They just decided they did not want to rent houses anymore.³¹³

Sometimes the welfare-abuser portrayal of Canaan's land occupants made it to the media. *Croix-Des-Bouquet's* mayor declared on public radio that everyone in Canaan had only

³¹¹ Interview with Haitian Government official from UCLBP on 10 May 2014.

³¹² I did not encounter one family who had arrived from rural areas. However, I recognise that rural poverty and state neglect could drive rural family members to join their urban relatives in Canaan.

³¹³ Interview with Haitian government official 10, Port-au-Prince, 7 July 2014.

migrated to the area in search of free housing.³¹⁴ She contrasted Canaan's illegal and immoral residents with the city's "respectable" residents who paid for housing and respected private property rights. Government officials also raised concerns that squatters had criminal motivations for occupying land. Suggesting an intrinsic link between squatting and crime, one government official claimed:

There is a lot of crime influenced by all this squatting. I think these squatters are people who are avoiding paying rent and want to get easy access to a permanent area where they can commit crime.³¹⁵

Maintaining the criminal character of squatters also operated by conflating land sellers with land purchasers. By suggesting that both land sellers and the vulnerable landless had the same character and motivation for criminal activity, state officials managed to negatively stereotype everyone associated with the informal settlement. This is apparent in an interview with a senior representative from Haiti's housing authority:

These people, they are all squatters. They just went to Canaan, took the land, and said its mine. They are just out there to sell land. But they are not real owners, people who can legitimately sell land.³¹⁶

Government officials also reconstructed the spatial identity of Canaan in ways that masked squatters' actual goals and achievements. They denigrated Canaan as yet another example of "wild urbanisation", portraying the settlement as dirty, dangerous, and ungovernable.³¹⁷ Even though the informal settlement was not even close to resembling the city's overcrowded slums, state officials were eager to label it a *bideonville* and compare the settlement to an earlier version of Cite Soleil. This *bideonville* reference to Canaan appeared in the Haitian press. Yet, government representations of Canaan were at extreme odds with the urban vision of squatters inside the settlement and their agency to implement that vision. A Haitian housing activist described government characterisations of Canaan that emerged during his own conversations with state officials:

The government gives a bad impression about Canaan. They think it sprawling and ugly, and too close to places of national

³¹⁴ Radio FM 106.1 on 24 July 2014.

³¹⁵ Interview with Haitian government official 10, Port-au-Prince, 6 June 2014.

³¹⁶ Interview with Haitian government official 2, Port-au-Prince, 10 May 2014.

³¹⁷ Interview with Haitian government official 2, Port-au-Prince, 10 May 2014.

importance like the seaside, tourist areas, and the new Olympic Centre. They often say, ‘oh, those people are stealing land and they should not be there.’ But they also think that Canaan’s inhabitants do not have anything – that these are poor, miserable, and unemployed. They say Canaan’s occupants have really crossed the line and created a truly violent place – another Cite Soleil.³¹⁸

Such accusations underpinned the state’s strategy for denying the relationship between Canaan and state-led evictions, mismanaged humanitarian aid, and their omissions to provide housing to landless Haitians. Assigning blame to squatters thus allowed state officials to whitewash their past failures and criminality, while re-positioning the Haitian state as the *victim* of unplanned development. This is captured in the following government statement:

The public declaration of Preval happened in March 2010. The government wanted to organize everything in the area, starting with its establishment of the temporary Corail camp for some of the earthquake displaced. But from there, all these people just rushed in to live around this area. They create informal settlements that were uncontrollable.³¹⁹

Yet, such rhetoric was inconsistent with how government officials were materially and politically benefitting from Canaan’s existence. As the urban reconstruction process unfolded, it came to light that state officials were actually using Canaan as a catchment area for all city populations standing in the way of the state’s reconstruction plans.

In May 2014, Haitian police demolished 400 houses in downtown Port-au-Prince and forcibly evicted over 62,000 people from their homes.³²⁰ These actions were justified by the state as necessary to rebuild the city’s administrative centre and make space for private sector development.³²¹ In another wave of forced evictions associated with the influx of reconstruction capital, downtown Port-au-Prince residents, who had lived their whole lives in the area (and were not displaced by the earthquake), were expelled and coerced to accept US\$500 as compensation for their lost homes and land (many claim they never received this money).³²² Significantly, some evictees reported they were instructed by Haitian police to ‘go

³¹⁸ Interview with Haitian housing activist 2, Port-au-Prince, 24 April 2014.

³¹⁹ Interview with Haitian government official 4, Port-au-Prince, on 17 March 2014.

³²⁰ See <https://www.counterpunch.org/2014/08/21/haiti-where-will-the-poor-go/>

³²¹ See <https://www.counterpunch.org/2014/08/21/haiti-where-will-the-poor-go/>

³²² See <https://www.counterpunch.org/2014/08/21/haiti-where-will-the-poor-go/>

out and buy land in Canaan'.³²³ This suggests that the state perceived Canaan as a dumping ground for unwanted populations within the broader reconstruction environment. Moreover, these events highlight how state discourses criminalising Canaan's squatters worked hand-in-hand with state efforts to reproduce Canaan as a slum for disposing of the city's surplus populations. These discursive attacks on Canaan's land occupations constituted another way the state re-victimised earthquake-affected populations.

VI. Conclusion

This chapter has illuminated the dialectic nature of land struggles in post-disaster Haiti as they occurred throughout reconstruction time and space. In the post-earthquake period, we saw Canaan functioning simultaneously as a space of exclusion and resistance. On the one hand, Canaan offered new opportunities to marginalised urban populations to build their own city,³²⁴ and through that experience, to make new land and citizenship claims.

On the other hand, this chapter revealed the forces of extortion, coercion, and violence that worked against people's goals for land tenure security and a safer, more inclusive urban environment. It showed how people's individualised pursuit of tenure security often threatened to destabilise new communities. Having lived a life of urban precarity, vulnerable squatter families were motivated to find and forge their own solutions to their lack of security and protection within the Canaan settlement. Such dynamics, however, brought inevitable risks to community solidarity and cohesion – pointing to the fragile social conditions within new squatter sites.

Canaan's experience also shed light on the extreme vulnerability of informal land occupants to state-sponsored counter-attacks on their land control, motivated in part by the capitalist dynamics of reconstruction. We saw how different powerful and criminal groups – from state authorities to powerful landowners to land mafias – flooded Canaan and sought to abuse or exploit the people living inside the settlement to achieve their own material and political interests. In short, Canaan's squatters faced significant barriers to achieving their goals

³²³ Interview 46, Village des Pêcheurs, 1 August 2014.

³²⁴ This phrase was used to describe Canaan in the URD report: "Reconstruction et environnement dans la région métropolitaine de Port-au-Prince: Cas de Canaan ou la naissance d'un quartier ex-nihilo." Available at http://www.urd.org/IMG/pdf/ReconstructionetEnvironnement_Rapport_Canaan_Nov2012.pdf

for the built environment. Most importantly, these experiences in Canaan exposed the relationship between state-humanitarian crime and the creation of perpetual vulnerability. This chapter provides evidence for the argument that state-humanitarian expulsions from Port-au-Prince settlements resulted in increasing the vulnerability of earthquake victims to further harm and violence. This outcome therefore constitutes as one aspect of determining the criminal dimensions of the state-humanitarian rental subsidy cash grant (RSCG) programme.

Chapter Eight

Humanitarian Denial: Concealing Expulsions and Vulnerable Settlements

To expand on the concept of state-humanitarian crime requires an exploration of humanitarian strategies of denial for obscuring, reinterpreting, or minimising the harmful impacts of humanitarian actions and policies. Combining interview data, media articles, and humanitarian reports, this chapter unveils a complex political discourse that masked the harmful nature of state-humanitarian expulsions and their causal relationship with the creation of new informal settlements. As we shall see in this chapter, there is a constant need for humanitarian organisations to re-interpret people, places, and events to fit their narrative about humanitarian protection, and their expert and efficient roles in delivering it. For this reason, humanitarian discourses targeting post-earthquake informal settlements, including Canaan, continually shift to obscure organisational involvement in producing socio-spatial patterns of injustice and re-victimisation.

Humanitarian strategies of denial demonstrate how responsibility for housing-related harms and land criminality are repackaged and deflected. These strategies become necessary for maintaining humanitarians' hegemonic position and legitimacy throughout Haiti's reconstruction process. They are also borne of the need to protect organisational reputations and advance future funding goals. With these dynamics in mind, this chapter contributes to an understanding of the interplay between repression and resistance as struggles for land and housing are shaped by humanitarian involvement. In Canaan, the discursive and governing power of humanitarian agencies emerged once again, and operated to contain, suppress, and re-appropriate new squatter movements that repudiated state-humanitarian practices and threatened elite land control. I will show how humanitarian power combined with the different forms of state-sponsored violence in Canaan to become a powerful force working against the goals of squatter communities, who were striving to achieve permanent housing and a safer, more inclusive urban order.

I. Understanding Denial and Techniques of Neutralisation

Critical criminologists often apply concepts of denial to interpret the criminal behaviour of powerful actors (see Green & Ward, 2000, 2004; Whyte, 2012, 2016; MacManus, 2018). Similar to the theoretical significance of resistance practices in labelling state crime, denial strategies manufactured by states and their agents are theoretically relevant for identifying and exposing harmful and criminal events, and their legitimation to social audiences (Green & Ward, 2000, p. 103; Green & Ward, 2004, pp. 134–35). Investigating organisational forms of denial is also important for challenging repressive power configurations. Revealing state strategies of denial may lead to ‘insight, acceptance, and acknowledgement; the hidden truth emerges; and, the healing process then beings’ (Cohen, 2000, p. 36).

Criminological analyses of state forms of denial are informed by Stanley Cohen’s (1993, 2000) ground-breaking work on the subject. Cohen sought to explain public acceptance of human suffering, such as torture, human rights violations, and state crimes, by interrogating how denial operates in official state accounts. In doing so, Cohen acknowledged a relationship between individual and organisational denial, writing that ‘the denials used by individual perpetrators of some well-known atrocities and the official reactions by governments today...will look very similar. It cannot be otherwise’ (2001, p. 76). Though Cohen’s insights largely draw from his study of state behaviour, critical criminologists have since applied them to illegitimate acts of other powerful actors, namely corporations (see Whyte, 2016; MacManus, 2018). This extension of Cohen’s framework suggests that it may also be applied to humanitarian organisations, whose operative goals, means, and conduct are similar to both states and corporations (see Chapter Two).

In his study of political accounts of mass atrocities, Cohen identified three forms of denial at work in the way that powerful actors justify their crimes externally and construct a defensive shield against legal and public sanctions. They are *literal denial*; *interpretative denial*; and *implicatory denial*. Cohen, and other scholars using his work, encourage us to view state strategies of denial as highly contextual, where different forms arise at different stages and for particular reasons (see Green & Ward, 2004, p. 134). *Literal denial* – pure denial – entails a flat-out refusal to accept knowledge or facts (Cohen, 2000, p. 7). State counter-claims may work for a certain period of time, but when the rejection of facts defies their explanations, state strategies often

shift to *interpretative denial* (2001, p. 105). Cohen characterises this second, less perceptible form of denial as the re-appropriation of meaning to facts, people, and events. Its motivating force is to give the impression that ‘what is happening is really something else’ (2001, p. 105). The games of truth manifesting through interpretive forms of denial allow powerful actors to evade culpability for their actions by reframing them as well as their consequences. For example, Thomas MacManus’s (2018) work on toxic dumping by U.K. company Trafigura revealed a two-pronged strategy of denial wherein the company denied facts on the ground, and then redirected blame to its business partners. Cohen’s third category, *implicatory denial*, relates to the justificatory grounds put forth by powerful groups to exculpate themselves from wrongdoing. Perpetrators and their accomplices brush off state crimes and human rights violations they have committed by claiming they were necessary, contextual, or deserved (2000, p. 110). This involves contesting the veracity of facts, demonizing victims, and rationalising situations of harm by comparing them to worse-off situations, or by framing them as unintentional consequences of difficult circumstances (2000, pp. 133–34).

In exploring the political strategies of denial, critical criminologists have found that, similar to perpetrators of less serious offenses, state-corporate perpetrators rarely acknowledge their norm-breaking behaviour (Sykes & Matza, 1957; Cohen, 2000, p. 77). They do not challenge the social codes and values that sanction their wrongdoing, but instead resort to techniques of neutralisation to justify or normalise their behaviours. Some of these techniques are:

- denial of responsibility
- denial of injury
- denial of the victim
- condemnation of the condemners³²⁵

In recognise the ways that powerful actors neutralise their unethical and criminal conduct, the law emerges as a powerful means for justifying harmful actions. This observation connects with theoretical insights on the hegemonic position and normalising power of law, and the instrumental use of the language of legality to reframe the meaning or value of people, places, and events, according to dominant interests (Whyte, 2016; see also Nadar & Mattei,

³²⁵ For a full description of each technique, see Sykes and Matza (1957), Chapter 4 in Cohen (2000) *States of Denial*, and Whyte (2016).

2008, p. 7; Golder & Fitzpatrick, 2009). Elite knowledge production is another important means for powerful groups to attack the credibility and claims of their victims (Cohen, 2000). Elites routinely leverage their power to subject victims to inferior social positions, thus neutralising their victims' knowledge of events (see Whyte, 2012).

Cohen guides scholars in locating deliberate forms of organizational denial and separating it from what sociologists and psychologists call cognitive bias. To do this, Cohen (2000, pp. 6, 33) identifies the 'grey areas between consciousness and unconsciousness,' which he calls the state of 'knowing and not knowing.' Though he marks out a difference between active and passive denial (2000, p. 32), Cohen suggests that statements of not knowing are often part of the defensive denial strategy, which signals organisational awareness of their deviant behaviours. Behind claims of not knowing are often deliberate evasions of the truth. Organisations may even choose, or collude with others, to not investigate an issue because of its threatening nature. For this reason, Cohen writes that 'denying unwelcome and potentially dangerous news...needs explanation' (2000, p. 31).

In the following sections, I will apply Cohen's insights to the official and personal accounts given by humanitarian organisations to excuse, defend, and rationalise their harms and deviancy. The deviancy under investigation relates to specific organisational breaches of international humanitarian principles and human rights norms in the governance of post-earthquake settlements, and the design of housing programmes that resulted in re-victimising landless populations. As discussed, one of the clearest examples of humanitarian organisational deviance in Haiti is the coercive closure of settlements. In Chapter Four, I showed how humanitarian-led settlement closures failure to follow normative procedures or provide evictees with adequate alternative housing, in accordance with their right to housing.

I have also traced the harms associated with landlessness and the lack of a home. The ways that people were forced out of city by state-humanitarian programmes, I have argued, led to new exposure to harms because, despite obtaining land access and enacting their own reconstruction process, people ultimately lacked basic services, urban planning support, and protection from criminal gangs and re-evictions. Thus, having reviewed the harms and deviancy that humanitarian organisations are likely to conceal, I will now engage in a detailed discussion of humanitarian denial strategies and techniques of neutralisation.

II. Denying Organisational Responsibility for Post-Earthquake Informal Settlements

Without question, the interventions and conduct of humanitarian organisations led to the development of Canaan as a catchment area for excluded people in a capital-intense reconstruction period. This assertion is based on two factors. First, as discussed in Chapters Four, Five and Six, the rapid and coercive expulsion of populations from post-earthquake settlements, led by humanitarian organisations, left hundreds of thousands of people in precarious housing conditions. These conditions prompted mass exodus to Canaan in pursuit of housing. Second, humanitarian organisations contributed to Canaan emerging as a pull factor for informal settlement by nature of its role in the state's rushed expropriation of land in Canaan to enable the relocation of the Petionville Golf Course camp (see Chapter Seven). As mentioned, this expropriation did not follow proper legal procedure, nor was there an administrative plan for how the land was to be used. Despite this, humanitarian organisations carelessly relocated the Petionville Golf Club settlement population to Canaan without due consideration of their uncertain legal status on the land or their future basic needs, including housing and employment. This relocation, which was seen to incentivise mass movement specifically to Canaan, intersects with a second aspect of humanitarian involvement in Canaan's development. Moreover, the involvement of humanitarian organisations in the decisions and processes that created Canaan as one of Haiti's largest informal settlements can be summarised as:

1. Their role in compelling mass migration and occupation of Canaan as an outcome of the expulsions of earthquake victims from post-earthquake settlements without the provision of adequate housing.
2. Their role in the coercive and careless relocation of populations to the state-expropriated urban periphery, which catalysed the *direction* of the squatter movement to Canaan.

Humanitarian organisations were sensitive to facts on the ground that pointed to their role in Preval's expropriation of Canaan, and the consequent pull factor for land occupation on the urban periphery (not to mention their eventual abandonment of the relocated Petionville Golf Club camp population). Within months, humanitarian organisations said they

noticed small squats forming around perimeter of the Corail relocation area.³²⁶ Interviewed officials remarked that these early squats (observed after the relocation) ‘put the entire humanitarian sector in an immediately uncomfortable position.’³²⁷ They feared they had inadvertently catalysed the land occupation process by putting an empty plot of land on the radar, and they could be blamed by Haitian and international audiences for incentivising extra-legal occupations. Being linked to this outcome could be reputational suicide for neutral and law-abiding humanitarian agencies.³²⁸ One humanitarian official explained his organisation’s impetus to distance themselves from squatter movement from the beginning:

During that time, we were constantly consulting with our lawyers because we were afraid that we would be blamed by landowners or the government for these movements, in which both were losing land. Everyone was nervous with these movements. We decided to lie low and ensure that none of our materials and services left the Corail [relocation] camp to reach the surrounding squatter area.³²⁹

From the outset, humanitarian organisations were keenly aware of the poor conditions in squatter settlements.³³⁰ Yet, embodying a strategy of *literal denial*, their immediate reaction was to lie low and ignore extra-legal occupations that threatened organisational reputations. Most humanitarian organisations therefore exercised a strategy of avoidance despite their role in catalysing these events. Some expressed hope that Canaan’s squatters would give up and move elsewhere, especially once they realised they would not receive humanitarian aid or basic services inside this “zone of exclusion”³³¹ (Agier, 2012).

When Canaan’s squatters did not move away, it prolonged the discomfort of humanitarian organisations who understood the causal relationship between their actions and the settlement’s development.³³² This initial strategy of avoidance was not easily maintained.

³²⁶ Interviews with humanitarian officials 1 and 2 (15 November 2015, Port-au-Prince), 3 (9 June 2014, Port-au-Prince), and 23 (29 March 2015, London).

³²⁷ Interviews with humanitarian officials 1 and 2, Port-au-Prince, 3 April 2014.

³²⁸ Interviews with humanitarian officials 1 and 2, Port-au-Prince, 3 April 2014.

³²⁹ Interviews with humanitarian officials 1 and 2 (15 November 2015, Port-au-Prince), 3 (9 June 2014, Port-au-Prince).

³³⁰ Interviews with humanitarian officials 1 and 2 (15 November 2015, Port-au-Prince), 3 (9 June 2014, Port-au-Prince), and 23 (29 March 2015, London).

³³¹ Interview with humanitarian official 32, Port-au-Prince, 9 August 2014.

³³² This was explicitly mentioned in the following interviews: Interview with humanitarian official 3, London; interview with humanitarian officials 9 and 32, Port-au-Prince, 14 April 2014; Interview with humanitarian

Stated commitments to humanitarian principles made it difficult for organisations to distance themselves from an area demonstrating humanitarian need. Humanitarian principles require organisations to provide equitable assistance to populations of concern and to fill gaps whenever they arise for people who are identified in need (Slim, 2015). Yet, the Haitian government provided strict instructions to humanitarian organisations to deny aid to Canaan's new settlements. State authorities, it seemed, were pursuing a hostile environment policy with the hope that poor conditions would force squatters to leave the area.³³³ Most humanitarian organisations complied with the government's request not to provide 'permanent structures, materials or services' such as housing materials or water points in the expanding settlement.³³⁴ Nevertheless, they needed to justify why they had conceded to state demands and singled out Canaan for aid exclusion. Some justifications for their non-compliance with humanitarian principles invoked squatters' violations of Haitian law and state authority. This is illustrated in the following statement:

Our organization waited to see if the government would kick everyone out because they were not legal. It was pointless to provide assistance if they were going to do that. Yes, we did have a lot of funds to provide shelter materials, for more than 500 families, but we weren't going to distribute our materials out there [Canaan]. There was the government issue and the legal issue.³³⁵

Not all humanitarian officials were comfortable with the wilful blindness pursued by their organisations. One interviewee complained of the thousands of people being rendered invisible to housing assistance based on state policy.³³⁶ She protested:

In my view, the entire humanitarian sector waited a long time ignoring and not doing anything to help these people. Canaan was a "taboo topic" for the international community for at least two years. Everyone was hesitant because of reputational risks that Canaan posed for humanitarian agencies.³³⁷

official 4, 26 June 2016; interview with humanitarian official 7, Port-au-Prince, 21 April 2014; Interview with humanitarian official 8, Port-au-Prince, 20 April 2014.

³³³ Interview with humanitarian official 33, Port-au-Prince, 14 July 2014.

³³⁴ Interview with humanitarian official 9, Port-au-Prince, 21 January 2014. See also T. Padgett and J. Desvarieux, Haiti: Where Building a Hospital Can be Illegal, *Time*, 12 November 2010. Available at <http://content.time.com/time/world/article/0,8599,2031102,00.html>

³³⁵ Interview with humanitarian official 33, Port-au-Prince, 15 July 2014.

³³⁶ Interview with humanitarian official 35, London, 10 June 2014.

³³⁷ Interview with humanitarian official 35, London, 10 June 2014.

In short, humanitarians' strategic avoidance of topics related to Canaan, either in public interviews or government forums, constituted a form of denial aimed at protecting powerful interests.

There were some exceptions to this in the organisational landscape. In November 2010, several months after small settlements became noticeable to the international community, Techo (a Chilean NGO) called attention to the harmful effects of the state-sponsored ban on providing material assistance to new squatter communities.³³⁸ This small NGO warned that the government's ban, and all those who followed it, were actively risking the physical safety of the people living in Canaan.³³⁹ They accurately noted that squatters were being forced to build in the area without any formal urban planning support. The refusal to recognise new squatter communities led to a lack of strategic inputs essential at the early stage of settlement development. This included the planning and coordination of the provision of housing materials, road construction, electricity distribution, and sanitation and drainage systems. The Techo representative's comments reinforce the point that humanitarians were complicit in increasing the vulnerability of squatter communities through their practices of aid exclusion, which was driven by their conformity to state policy.

III. From Literal to Interpretive Denial: Re-labelling Squatter Sites as IDP Camps

Cohen (2000, pp. 135–36) notes that strategies of denial shift to accommodate new realities and facts on the ground that are difficult to suppress. In Haiti, early strategies of literal denial and avoidance about informal settlements morphed into new strategies as the context shifted and defied dominant explanations of events. Chapter Six showed that Canaan's steady growth was linked to both the state's failure to identify land for housing and the humanitarian-led settlement closures. The need to obscure the relationship between Canaan's population growth and the harmful effects of state-humanitarian expulsions is evident in humanitarian transcripts of events. This need produced a new form of denial about what was really happening in Canaan.

³³⁸ T. Padgett and J. Desvarieux, Haiti: Where Building a Hospital Can be Illegal, *Time*, 12 November 2010. Available at <http://content.time.com/time/world/article/0,8599,2031102,00.html>

³³⁹ T. Padgett and J. Desvarieux, Haiti: Where Building a Hospital Can be Illegal, *Time*, 12 November 2010. Available at <http://content.time.com/time/world/article/0,8599,2031102,00.html>

To that end, humanitarian organisations revised their narrative and labelled the burgeoning squatter site as a displacement camp – making the camp residents IDPs. What is interesting about this decision is that it did not correspond with the belief that the people living in Canaan fit the international description of IDPs – as opposed to populations identified immediately after the earthquake to whom humanitarians confidently applied the label. Most humanitarian interviewees were aware that what was happening in Canaan was a mass land occupation and that its residents sought permanent occupancy.³⁴⁰ Put differently, humanitarians recognised that squatters' identities and their land use patterns were conceptually different from those described by the normative framework on internal displacement.

The humanitarian organisations' deliberate mislabelling of Canaan residents cannot be seen as pure cognitive dissonance and lack of understanding of events. The transformation of land occupants into IDPs, I argue, responded to the need to find a label acceptable to dominant power relations. We have previously discussed that the IDP label usefully signals the temporariness of land occupations and authorises the state and humanitarian organisations to reclaim control over autonomous settlements. Therefore, this labelling decision can be interpreted as a strategy of neutralisation, in which dangerous and threatening events (land occupations driven by state-humanitarian wrongdoing) were converted into a strategically useful and acceptable narrative of events (earthquake-related displacement camps). Once Canaan's squatter movement was re-classified, humanitarian organisations assumed new authority over the settlement and carried their power relations to this new site of land occupation.³⁴¹ Such labelling also allowed them to distribute non-permanent/non-threatening levels of aid to squatters (i.e., daily consumables), which assuaged the tension between the Haitian government demands and humanitarian norms.³⁴²

One key effect of this reframing was its ability to mask humanitarian deviance. IDP language allowed humanitarian organisations to describe mass movement to the urban periphery as another 'episode of the earthquake displacement crisis' rather than a direct

³⁴⁰ This was mentioned repeatedly in interviews, including the following: humanitarian official 3 (9 June 2014, London); 5 (10 April 2014), 7 (21 April 2014, Port-au-Prince), 9 (21 January 2014, Port-au-Prince), 25 (10 April 2014), and 35 (10 June 2014).

³⁴¹ Interview with humanitarian official 33, Port-au-Prince, 15 July 2014.

³⁴² Interview with humanitarian official 45, Port-au-Prince, 17 July 2014.

outcome of their RSCG programme (see Chapter Five). Drawing from Cohen's insights (2000, p. 64), IDP vocabulary delivered a 'culturally recognisable language to evade conventional judgement.' It also allowed humanitarian organisations to flip their role from the *perpetrators* of camp closures to the *saviours* of this supposedly new group of earthquake victims. In stark contrast to the modes of people-led reconstruction described in Chapter Seven, Canaan's population was depicted as weak and dependent on humanitarian relief.³⁴³

Certainly, Canaan's land occupants received material benefit from medical and other needs-based assistance as a result of their reconstructed identities. These benefits, I nevertheless maintain, far outweigh the impact of a dominant narrative that re-positioned humanitarian authority over land occupants and obscured their social goal, which was aimed at winning land rights and building a more inclusive urban environment. One way of reinforcing my point is to show how modes of humanitarian engagement, interlaced with performance goals, destabilised new communities. In carrying out their aid activities, organisations tended to appoint new leaders (camp leaders) in nascent communities and empower them with resources and leadership responsibilities, without any interrogation of their social backgrounds or community relationships. Consequently, organisations undermined new community structures and created local hierarchies that had not previously existed in Canaan. In one instance, land occupants complained that humanitarian-empowered leaders were charging every family USD\$100 to put their name on aid distribution lists and threatened to remove their names if their extortion was reported.³⁴⁴ People who could afford the USD\$100 said that they paid it, hoping the fee would eventually provide them access to desperately needed construction materials. In the end, they saw camp leaders pocket at least \$10,000 from "selling" aid in their community.³⁴⁵ Land occupants also claimed that the provision of material aid enticed criminal entrepreneurs to their new communities and had the effect of strengthening the power of criminal groups, in line with the dynamics described in Chapter Seven.³⁴⁶ In these ways humanitarian actions worked against people's goals by reshaping and redistributing power on the ground.

³⁴³ Interviews with humanitarian official 12 (Port-au-Prince, 17 July 2014) and 24 (29 July 2014), Port-au-Prince.

³⁴⁴ Interviews with land occupants in Canaan 3, Port-au-Prince, 1 August 2014

³⁴⁵ Interviews with land occupants in Canaan 3, Port-au-Prince, 1 August 2014

³⁴⁶ Interviews with land occupants in Canaan 3, Port-au-Prince, 1 August 2014

IV. Neutralising Uncomfortable Truths about State-Humanitarian Settlement Closure Programmes

Over time, the rapid increase in the number of new houses, markets, and small businesses in Canaan put humanitarian explanations for the settlement into question. Essentially, the settlement, which now housed 200,000 people, hardly fit the description of an IDP camp that could be closed by humanitarian organisations. Canaan's growth, furthermore, prompted greater awareness by humanitarian organisations of the causal link between the informal settlement and settlement closure programmes.³⁴⁷ These events precipitated a deliberate cover-up of facts by humanitarian organisations as a means for denying responsibility for harms created by their interventions.

In mid-2013, UN-Habitat, which had privately criticised humanitarian camp closure programmes, began investigating the situation of Canaan's residents.³⁴⁸ It did so through several field visits in addition to conducting a survey of 6,000 families in the settlement.³⁴⁹ UN-Habitat's unpublished survey found that almost half (45%) of the families in their sample had previously lived in IDP camps in the city and received rental grants. While this study did not investigate why so many people expelled from humanitarian-managed camps were now living in a new informal settlement on the urban periphery, there were clear indications that it was because people could no longer afford housing after their grants had expired, or that they had refused to return to expensive rental markets (see Chapter Six).

Interviews with humanitarian organisations confirmed their knowledge of the UN-Habitat study.³⁵⁰ Some RSCG implementing agencies did not dispute the study or the reality that many camp residents now lived in Canaan.³⁵¹ They too had discovered through their own monitoring of grant beneficiaries, that some rental subsidy recipients had violated the conditions of their grants.³⁵² These organisations explained that Port-au-Prince landlords, as

³⁴⁷ Interview with humanitarian official 25, Port-au-Prince, 10 April 2014.

³⁴⁸ Interview with humanitarian official 3, London, 9 June.

³⁴⁹ UN Habitat unpublished study that was obtained during the fieldwork.

³⁵⁰ Interviews with humanitarian officials 40 (1 August 2014), 25 (10 April 2014), and 32 (9 August 2014), Port-au-Prince

³⁵¹ Interviews with humanitarian officials 40 (1 August 2014), 25 (10 April 2014), 32 (9 August 2014), and 42 (5 May 2014), Port-au-Prince.

³⁵² Interviews with humanitarian officials 12 (29 April 2014) and 42 (5 May 2014), Port-au-Prince.

well as their own local staff, had told them that many families had taken their money to Canaan's illegal land market because of the limited and insufficient nature of their rental grants.³⁵³

Anecdotal and unpublished information, such as the UN-Habitat study, came to light during the course of my fieldwork. In July 2014, a foreign researcher placed with the Haitian Ministry of Public Works (MPCE) conducted qualitative fieldwork with 100 families living in Canaan.³⁵⁴ Similar to UN-Habitat's findings, her research showed that many landless Haitians had used humanitarian-provided grants to move to Canaan. Her research evidenced that the average selling price of land in Canaan was identical to the amount of the humanitarian rental grant (20,000 Haitian goudes). This proves that the informal land market was driven by the closure of settlements inside Port-au-Prince. When this study was presented to Haitian government officials and humanitarian organisations in a closed-door meeting that I attended, humanitarian organisations who were instrumental in the design and implementation of the RSCG programme, reacted defensively. The organisational representatives tried to discredit the researcher's study based on its 'lack of quantitative data to prove the scale of the phenomenon.'³⁵⁵ This was despite the fact that many humanitarian organisations had already reached similar conclusion from their own monitoring of the RSCG programme. This defensive reaction illustrates a common tactic of denial by humanitarian organisations, which was to attack the credibility of information produced by non-humanitarian organisations, who could not claim the same level of authority and expertise as organisations operating in the humanitarian sector.

The form of denial taken to dispute this evidence exhibits what Cohen calls the 'subterranean level at which everyone knows what is happening, but the surface is a permanent "as if" discourse' (Cohen, 2000, p. 63). According to humanitarian organisations, the camp-to-Canaan pattern of mobility was simply 'too difficult to know' and 'lacked conclusive evidence.'³⁵⁶ Such attempts to rebuff any link between settlement closure processes and the

³⁵³ Interviews with humanitarian officials 40 (1 August 2014), 25 (10 April 2014), 32 (9 August 2014), and 42 (5 May 2014), Port-au-Prince.

³⁵⁴ Participant observation of Ministry of Public Works close-door meeting with government officials and humanitarian agencies in July 2014.

³⁵⁵ Participant observation of Ministry of Public Works close-door meeting with government officials and humanitarian agencies in July 2014.

³⁵⁶ Participant observation of humanitarian meeting, Port-au-Prince, 14 April 2014.

rise of informal settlements constituted both a denial of responsibility as well as a denial of the harm caused by humanitarian programmes. Privately, some humanitarian officials articulated that studies showing the structural link between camps and Canaan were dangerous to organisational reputations.³⁵⁷ They feared that media attention or research on this link could trigger a duty of care to RSCG recipients who had ended up in an under-serviced informal settlement as a result of humanitarian programmes.³⁵⁸ Organisations would not be able to meet this duty of care, however, because donor funding had dried up for Haiti.³⁵⁹

These fears prompted coordinated cover-ups by humanitarian organisations with a vested interest in keeping the connection between post-earthquake settlements and new informal settlements in Canaan out of the public domain. Off the record, lower-level humanitarian officials explained that organisational heads required them to remove any reference of the link between settlement closure processes and Canaan, in their public reporting.³⁶⁰ Even if humanitarian staff identified that humanitarian cash grants were being used to purchase land in Canaan, they were forbidden from reporting this to the public or to their donors.

This deliberate omission in humanitarian reporting extended to other forms of organisational control over information flow. Photographic evidence that provided a counter-narrative to the humanitarian story was systematically treated as classified. For example, photos of For Sale signs on land in Canaan's "IDP camps" were hidden from the public – although they were covertly passed between humanitarian organisations. There appeared an unwritten agreement to not distribute such damaging photos to researchers or the media. Even when researchers (like myself) were cautiously shown a photo or two on computer screens, requests for copies were denied.³⁶¹ Since this behaviour was exhibited by implementers of camp closure/rental subsidy programmes but not by organisations providing other types of aid, it suggests that organisations involved in settlement closure programmes were well aware of their wrongful conduct and were making a deliberate effort to conceal damning information.

³⁵⁷ Interview with humanitarian official 20, Port-au-Prince, 29 July 2014.

³⁵⁸ Interview with humanitarian official 3, London, 9 July 2014.

³⁵⁹ Interview with humanitarian official 3, London, 9 July 2014.

³⁶⁰ Interviews with humanitarian official humanitarian official 40 (1 August 2014) and 28 (15 March 2014).

³⁶¹ Interview with humanitarian official 42, Port-au-Prince, 5 May 2014.

Withholding information from the public contravenes key humanitarian principles of transparency and public access to information (Slim, 2015), and therefore required justification. Some interviewed organisations claimed that they could not release information that posed ‘concerns for the security of humanitarian personnel.’³⁶² This justification was framed in a neo-colonial discourse about Haitians who, if made aware of humanitarian shortcomings or wrongdoing, might retaliate with violence against their international caregivers. Some interviewees asserted that their moral imperative justified their high degree of secrecy. No negative information about humanitarian work, or the reconstruction process in general, should be leaked to the public because it might ‘erode public trust’ and put future ‘critical life-saving work in jeopardy.’³⁶³ Essentially, any unethical conduct or inadvertent harms perpetrated by humanitarian actions should not be publically disclosed or discussed because humanitarian organisations acted in good faith and always had the greater good in mind. This assertion is easily countered by pointing out the humanitarian adherence to state interests throughout the reconstruction process.

There were highly organised efforts to suppress discreditable information about the way that humanitarian organisations conducted and oversaw donor evaluations of their work. Donor evaluations are a mechanism of humanitarian accountability, otherwise called upward accountability (Ebrahim, 2003). As a performance monitoring tool, donor evaluations usually assess the progress that organisations have made toward stated objectives for donor funding, as well as the efficiency and effectiveness of resources spent (Ebrahim, 2003; Jordan & Tuijl, 2006). They are also meant to ensure that humanitarian organisations adhere to particular standards in the delivery of their services; they may further try to measure social changes and outcomes (Ebrahim, 2003). For all these reasons, donor evaluations have a significant impact on organisational reputations and opportunities for future funding. Arguably, donor evaluations are important sources for interpreting humanitarian denial because they give a picture of how certain activities have been narrated and rationalised.

In Chapter Five, I discussed two evaluations of the RSCG programme. Both evaluations were heavily influenced by organisations who had control over the evaluation’s

³⁶² Interviews with humanitarian official 12 (17 July 2014) and 40 (1 August 2014), Port-au-Prince.

³⁶³ Interview with humanitarian official 40, Port-au-Prince, 1 August 2014.

terms of reference, methodology, and final review.³⁶⁴ The second evaluation process, however, is one that I personally observed and believe was most important for de-linking settlement closures from the emergence of new informal settlements. As previously discussed, several studies prior to this second evaluation had suggested the harmful effects of settlement closure programme. Some humanitarian organisations stated that the ‘the second evaluation needed to show that we did not put people into a terrible situation in Canaan, that donor’s money did not do that, and that we did not create this illegal situation for people.’³⁶⁵ Thus, even before this evaluation was conducted, humanitarian organisations had identified dangerous facts on the ground that needed to be ‘repackaged in an acceptable format’ (Cohen, 2000, p. 64).

This led to a dedicated cover-up of dangerous facts. In a planning meeting on the development and execution of the second evaluation, I observed a high degree of anxiety amongst organisations that this evaluation would put the RSCG programme in a negative light. It was subsequently agreed by participating organisations that a negative evaluation of the programme could be circumvented through careful construction of the evaluation’s terms of reference. Thus, humanitarian organisations agreed that the terms of reference could be structured toward producing evidence that ‘donors got their money’s worth for what they paid for – camp closures.’³⁶⁶

The desire to hide the truth about the harmful impact of rental subsidies and settlement closure processes influenced the evaluation’s methodology and the questions asked of the programme’s participants. For example, people were asked if they felt physically safe for the one-year period that they lived in rental homes paid for by humanitarian grants (the limited period of grants). Meanwhile, questions related to the prevention of future homelessness, such as the affordability of rental housing, were omitted. One researcher with direct knowledge of the evaluation process said that RSCG evaluators (hired by organisations) were told not to visit Canaan during their research.³⁶⁷ Expert evaluators, who believed it was important to conduct field trips to Canaan to assess the impact of rental grants, were unable to push back on this organisational decision which did not make sense if the objective was to

³⁶⁴ Interview with researcher, London, 24 April 2018.

³⁶⁵ Participant observation of humanitarian meeting, Port-au-Prince, 14 April 2014.

³⁶⁶ Participant observation of humanitarian meeting, Port-au-Prince, 14 April 2014.

³⁶⁷ Interview with researcher, London, 24 April 2018

understand how rental grants had been used.³⁶⁸ ‘Canaan just didn’t fit with their narrative,’ explained this observer of the process.³⁶⁹ A U.S. government official was more open about the coordinated effort to suppress information about the programme’s harmful impacts:

There is simply no question that Canaan is closely linked with humanitarian rental subsidies. It is a definite feature of the humanitarian response. But neither foreign donors or humanitarian organizations want to admit it. And they certainly do not want to include it in their evaluation because it would defeat the whole purpose of their programme and its success – which they said was to take people out of camps and put them in rental housing. But really, they should accept responsibility for what they did and throw money at Canaan, something they are actually responsible for.³⁷⁰

This senior official’s analysis of the situation illustrates the uncomfortable truth being actively denied by humanitarian organisations with responsibility for the harmful effects of the RSCG programme. Not surprisingly, when the second evaluation was published, its 133 pages contained only one reference to Canaan (see Trevino et al., 2014). The reference, buried in the middle of the report, hardly exposed the gravity of the situation. It stated: ‘There are also questions about how many beneficiaries moved and built homes in so-called informal settlements such as Canaan’ (Trevino et. al., 2014). This passing reference to Canaan embodies the collective denial that Cohen refers to when he explains how the space between knowing and not knowing is maintained to mask organisational deviance.

V. Denying and Criminalising Victims

Recalling this chapter’s introduction, the denial of victims and their injuries are neutralisation techniques used by perpetrators to deflect blame for wrongdoing and distort the truth. In this section, I will explore how humanitarian discourses and the international media normalised precarious living conditions in informal settlements while stigmatising squatter communities and their illegal land behaviours. This demonstrates the social function of humanitarian discourses in avoiding responsibility for harms and legitimising their ongoing

³⁶⁸ Interview with researcher, London, 24 April 2018

³⁶⁹ Interview with researcher, London, 24 April 2018

³⁷⁰ Interview with foreign donor, Port-au-Prince, 28 April 2014

dominance over global society's "dangerous classes." I argue that blaming the urban poor for slum-making in Canaan provided a cover for humanitarian organisations.

V.I Blaming victims.

In July 2013, the Haitian government asked humanitarian organisations to remove Canaan from its official list of registered IDP camps (IOM, 2013). Until then, Canaan had been listed as a displacement site and its population had been included in the total count of IDPs. There were strong suspicions that government officials wanted Canaan off the official IDP list because its growing numbers defeated state-humanitarian objectives to reduce population numbers.³⁷¹

The withdrawal of Canaan's status as an IDP camp posed lingering questions for an interested international public and media. If Canaan was not an IDP camp, what was it? Why had it emerged in the post-earthquake period? And what should be done about it? The pressing need to explain Canaan as *something else* non-threatening to state and humanitarian organisation laid the foundation for victim-blaming once Canaan's IDP camp status was taken away.

Critical criminologists have frequently observed that powerful groups evade blame by labelling the behaviour of others as illegal or criminal.³⁷² In Haiti, humanitarian organisations and the Haitian government deflected their wrongdoing by assigning blame to squatter communities. As Canaan's IDP camp status unravelled, there was a general consensus amongst humanitarian organisations implementing camp closure programmes that 'anyone who had moved to Canaan had done something wrong.'³⁷³ Corresponding to this, Haitians who had used their rental grants to purchase land were framed as dishonest, thieving beneficiaries.³⁷⁴ They were compared to other deviant beneficiaries who had misused humanitarian aid, such as people who had sold shelter materials on the black market.³⁷⁵ Some

³⁷¹ Interview with housing activists 2 and 4, London, UK, 28 October 2014.

³⁷² An example is Jenss' (2018) discussion of state criminalization of groups challenging land exclusion in Mexico.

³⁷³ Interviews with humanitarian official 35 (10 June 2014, London 3 (9 June 2014, London, 9 June 2014), and 7 (21 April 2014, Port-au-Prince).

³⁷⁴ Interviews with humanitarian official 35 (10 June 2014, London 3 (9 June 2014, London, 9 June 2014), and 7 (21 April 2014, Port-au-Prince).

³⁷⁵ Interview with humanitarian official 38, 24 July 2014.

humanitarian officials likened this group of deviant beneficiaries to criminal gangs in the city who had stolen and sold humanitarian aid for profit.

The stereotype of thieving beneficiaries was attached to a generalized picture of social deviancy. Humanitarian views neatly corresponded to the government's own negative rhetoric about squatter communities, as illustrated in the statement of one humanitarian official:

The earthquake whet the appetite of Haitians. In all this chaos, it made these people think: now is my time to grab land. These squatters are the people who are avoiding paying rent and taxes.³⁷⁶

One explanation humanitarian organisations repeatedly provided for the land occupation was that squatters were people who wanted free land and to avoid paying taxes. This perpetuated the idea that people who defied the law had an innate motivation for law-breaking, which would give rise to other forms of criminality. The association between squatting and crime mirrors the state's own narrative of Canaan, evidenced by one humanitarian official's assertion as follows:

Squatting facilitates crime. The people living in Canaan can easily commit crimes and then hide from everyone, even the police. These squatter areas have no police presence.³⁷⁷

The post-IDP account of Canaan by humanitarian actors relied heavily on negative representations of Canaan's built environment. In humanitarian circles, Canaan was frequently described as Port-au-Prince's new Cite Soleil – Haiti's most ill-reputed slum – even though the settlement looked nothing like this neighbourhood or other overcrowded areas of Port-au-Prince. The international media, drawing much of their information from humanitarian organisations, reported these stereotypes. The Miami Herald, for example, repeatedly called Canaan the biggest post-earthquake slum;³⁷⁸ and the BBC cited humanitarian officials warning that Canaan was a slum in the making.³⁷⁹ Some media parroted both humanitarian and government officials who referred to Canaan as a large and growing cancer.³⁸⁰

³⁷⁶ Interview with humanitarian official 24, Port-au-Prince, 29 July 2014.

³⁷⁷ Interview with humanitarian official 38, 24 July 2014.

³⁷⁸ Miami Herald, *Rebuilding Haiti: Still a work in progress*. 11 January 2015

³⁷⁹ See <http://www.bbc.co.uk/news/world-us-canada-22992359>

³⁸⁰ Miami Herald, *Four years after the earthquake, Haiti looks to turn disaster into promise*. Available at <http://www.miamiherald.com/news/nation-world/world/americas/haiti/article1959159.html>

V.II Humanitarian discourses of risk, incivility, and inferiority.

To create a politically palatable story about Canaan required framing people's circumstances as the consequence of their own actions and decisions. Humanitarian discourses capitalised on the so-called risky behaviours exhibited by Haiti's lower classes. As one humanitarian assessment claimed, Haitians had 'simply paid no attention to the risks related to the environment, to the lack of water, and to the flood-prone nature of Canaan'³⁸¹ in their settlement decisions. This whitewashing of the conditions leading people to Canaan centred on the idea that Haitians had *foolishly elected* to occupy land exposed to environmental and disaster hazards.

Under this narrative, Canaan's squatters were not reasonably entitled to humanitarian protection because they had put *themselves* at risk of evictions through their illegal land purchases. Humanitarian interviewees cited the government's urban plan to justify government evictions of illegal squatter communities. From the humanitarian perspective, sympathy was owed to the government because squatters had put the entire city at risk. They had occupied hilly lands needed to protect Port-au-Prince from landslides. Again, these discourses were parroted by the media. As an example, an *Economist* article insinuated that squatters were to blame for chaotic post-earthquake urbanisation, stating that: 'Government planners and foreign aid donors once feared just the sort of anarchic construction that Canaan and Jerusalem represent – unzoned, unregulated, untitled and dangerous.'³⁸²

Other forms of humanitarian knowledge production and surveillance disseminated risk discourses. Frequently, the IOM deployed drones above squatter settlements for the purpose of creating maps of the settlement's environmental risks. Drone imagery was then showcased in fancy hotels in Port-au-Prince at conferences discussing new disaster risks and the need for international disaster risk management programs in Canaan.³⁸³ What was truly remarkable about risk discourses and these methods of surveillance was the extent to which humanitarian organisations disseminated them. These technical discourses distracted attention

³⁸¹ Interview with humanitarian official 44, 9 August 2014

³⁸² *The Economist*, Haiti: Pride and Palaces, 14 September 2012. Accessible at <https://www.economist.com/blogs/americasview/2012/09/haiti>

³⁸³ Participant Observation, Disaster Risk Reduction meeting, Port-au-Prince, 15 July 2014.

from the political and legal questions surrounding the informal settlement. Certainly, environmental and disaster risks were present in the settlement.³⁸⁴ However, the real meaning of people's exposure to disaster risks were not factored into these conversations. Discussions about Canaan's environmental and disaster risks neutralised the consequences of state-humanitarian wrongdoing and re-distributed the blame onto squatter communities for their new vulnerable situation.

Squatter incivility was another weaponised discourse used against people-led reconstruction. In *Wretched of the Earth*, Frantz Fanon (2001, p. 32) describes colonial north-south encounters in the following terms:

Native society is not simply described as a society lacking in values. It is not enough for the colonist to affirm that those values have disappeared from, or still better never existed in, the colonial world. The native is declared insensible to ethics; he represents not only the absence of values, but also the negation of values. He is, let us dare to admit, the enemy of values, and in this sense he is the absolute evil. He is the corrosive element, destroying all that comes near him; he is the deforming element, disfiguring all that has to do with beauty or morality; he is the depository of maleficent powers, the unconscious and irretrievable instrument of blind forces.

Similar to Fanon's (2001, pp. 27–57) observations of colonial-native encounters, humanitarian organisations played a role in ascribing violent characteristics to Canaan's squatter communities. Squatters were referred as people 'who would kill for land,'³⁸⁵ suggesting an innate proclivity to violence. Canaan itself was portrayed as a Hobbesian dystopia; its residents lacked social values or respect for other's property.³⁸⁶ Some predicted that land conflicts between self-interested neighbours were *inevitable* because squatters had no capacity to govern themselves.³⁸⁷ Others pointed to the lack of local government or police presence in the area, which automatically signalled Canaan's state of mass lawlessness. It was only a matter of time before savage squatters' uncontrollable urges to accumulate land would pit neighbour against neighbour, according to these outside representations.

³⁸⁴ The entire area was flood prone and tropical storms had already claimed more than 20 lives in the squatter area in September 2012. See *The Economist*, Haiti: Pride and Palaces, 14 September 2012. Accessible at <https://www.economist.com/blogs/americasview/2012/09/haiti>

³⁸⁵ Interview with humanitarian official 6, Port-au-Prince, 21 April 2014

³⁸⁶ Interview with humanitarian official 24, Port-au-Prince, 29 July 2014.

³⁸⁷ Interview with humanitarian official 5, Port-au-Prince, 10 April 2014.

A humanitarian official provided me with a project proposal his organisation had developed for a donor that justified their intervention in Canaan:

In addition to the health and environmental risks, there is the risk of a deterioration of the social fabric in the Canaan area – particularly through a rise in violence and criminal characteristics of 'slums' or developing areas.³⁸⁸

The official who had written the proposal admitted she had hardly spent time in the area or interviewed residents in squatter communities.³⁸⁹

In the midst of this, a large humanitarian organisation commissioned Haitian lawyers to study Canaan's land conflicts to determine how the organisation might intervene to control them.³⁹⁰ In their study, however, the Haitian lawyers found no systematic problem of land disputes in squatter communities. Their unpublished report chronicles a surprisingly low rate of land disputes in Canaan. In fact, the tiny number of cases they did discover had already been successfully mediated by community committees (such as those discussed in Chapters Six and Seven). The lawyers concluded that small number of land conflicts amongst squatters was the result of the mature and effective mediation skills of squatter associations.³⁹¹ They also commended 'the quality of land-management services provided by community organisations' leaders.' This glowing assessment of community cohesion in Canaan appeared in the report as:

Organizations in Canaan...have a positive influence; they operate as a mediator in cases of land disputes and provide satisfactory solutions. They derive their legitimacy from the trust placed in them. They have no concern for [the intervention of] law enforcement, they base their reconciliation on the principles of fairness; their goal is to maintain social stability by avoiding conflicts.³⁹²

³⁸⁸ Interview with humanitarian official 4, Port-au-Prince, 26 June 2014.

³⁸⁹ Interview with humanitarian official 4, Port-au-Prince, 26 June 2014.

³⁹⁰ Interviews with Haitian lawyers 1, 2, 3 and 4 on 15 March 2014

³⁹¹ Interviews with Haitian lawyers 1, 2, 3 and 4 on 15 March 2014

³⁹² Excerpt (p. 17 of unpublished report on Canaan provided during interviews with Haitian lawyers 1, 2, 3 and 4 on 15 March 2014

Favourable assessments of squatter communities, however, had little impact on humanitarian discourse. The report, for reasons unknown but perhaps related to its challenge to the dominant narrative, was never published.

Humanitarian forms of denial were instrumental in legitimising the resurgence of state and humanitarian power and authority in Canaan. Such discourses suppressed squatters' voices while elevating the knowledge and capacity of humanitarian organisations. The social hierarchy between humanitarian organisations and squatters was maintained by comparing law-breaking squatters with law-preserving humanitarian organisations. Humanitarians complained that squatters displayed a total disregard for rule of law and had spoilt the progress made by international organisations to clarify and build property rights in the post-disaster period.³⁹³ Canaan's occupants were vilified as disruptors of modern development, in other words, the smooth function of a capitalist order.³⁹⁴ Far from the beautiful vision of Canaan put forth by its occupants, humanitarian organisations pronounced makeshift homes and sprawling informal neighbourhoods as a blight on the urban space.³⁹⁵ They even questioned the legitimacy of squatters' belonging in Port-au-Prince. As did the government, some humanitarian organisations blamed squatters for attracting impoverished rural residents and fuelling urban growth. Canaan's squatters were blameworthy because they were seen to be 'encouraging rural family members to join them in purchasing illegal land in Canaan.'³⁹⁶ Thus, in addition to the many allegations made about them, Canaan's squatters were accused of creating a pull factor to the city.³⁹⁷

The stigmatisation of squatters was in sharp contrast to the self-inflated discourses of humanitarian organisations promising to solve Canaan's problems. The organisations engaged in an *if only* defence to obscure their prior failure to provide housing. *If only* expert humanitarian organisations had been given more time and less complexity to deal with, they would have built safe and legal homes and neighbourhoods.³⁹⁸ The disorderly squatter population had simply *refused to wait* in rental homes and reap the benefits of urban reconstruction.

³⁹³ Interviews with humanitarian officials 1 and 2, Port-au-Prince, 15 November 2013.

³⁹⁴ Interview with humanitarian official 24, Port-au-Prince, 29 July 2014.

³⁹⁵ Interviews with humanitarian officials 3 (9 June, 2014, London, 9) and 38 (Port-au-Prince, 24 July 2014).

³⁹⁶ Interview with humanitarian official 21, Port-au-Prince, 22 October 2013.

³⁹⁷ Interview with humanitarian official 21, Port-au-Prince, 22 October 2013.

³⁹⁸ Interview with humanitarian official 24, Port-au-Prince, 29 July 2014.

Humanitarian organisations could be not held culpable for urban chaos because the urban underclass had ‘built faster than them, and in a chaotic and unplanned fashion.’³⁹⁹ The *if only* discourse successfully neutralised the fact that humanitarian camp closures had played a significant role in excluding people from the urban recovery process, and leading them into precarious new settlements in Canaan.⁴⁰⁰

V.III Redistributing blame to the state for housing-related harms in new settlements.

Humanitarian techniques of neutralisation emanated from their privileged position of appearing both neutral and detached from state policy making. This position also allowed them to redirect blame to the Haitian state for activities they (humanitarians) had initiated or participated in as accomplices of the state. The Haitian state, for example, was depicted as the primary architect of settlement closure policies. Humanitarian organisations thus explained Canaan’s illegal land invasion as the outcome of state neglect and incompetence. They claimed that the Haitian state’s poor decision-making and weak land-management practices had allowed the state to be taken advantage of by its population of pathological land grabbers.⁴⁰¹ This theme emerged in an interview with a humanitarian official who explained the circumstances of the land occupation:

Canaan is not only about the state’s lack of capacity to manage land. It is also about its poor capacity to understand what happens when you declare such a huge swath of land for public utility. You have to ask yourself, what was the state thinking? Its land was bound to be invaded. That is just what people do here.⁴⁰²

State-blaming was also evident in international media reporting. This also helped erase the elements of the story that linked the Canaan settlement to humanitarian closure programmes. Yet, even though tactical narratives about the Haitian state’s failures helped the humanitarian agenda, these narratives did little damage to the Haitian government. President Preval, who had issued the expropriation decree law, had been replaced by new president from

³⁹⁹ Interview with humanitarian official 24, Port-au-Prince, 29 July 2014.

⁴⁰⁰ T. Padgett and J. Desvarieux, Haiti: Where Building a Hospital Can be Illegal, *Time*, 12 November 2010. Available at <http://content.time.com/time/world/article/0,8599,2031102,00.html>

⁴⁰¹ Interviews with humanitarian officials 3 (9 June, 2014, London, 9), 24 (Port-au-Prince, 29 July 2014), and 38 (Port-au-Prince, 24 July 2014).

⁴⁰² Interview with humanitarian official 5, Port-au-Prince 10 April 2014.

a different political party. Furthermore, the Haitian government was accustomed to using the earthquake's impact on government buildings and resources to justify its weak land governance in the post-disaster period.⁴⁰³ This meant that any blame directed at the Haitian state was easily deflected back onto squatter communities. In this context, neither the state nor humanitarian organisations could be held accountable for precarious living conditions and insecure tenure within new settlements.

V.IV Normalising violence against squatter communities.

Emphasising *personal choice* to occupy Canaan constituted a technique for normalising people's harsh living conditions and the violence directed at them by the state and landowning elite. Human suffering in Canaan was deemed unworthy of public concern because people's movements were not directly caused by the natural disaster. Suffering in Canaan was therefore not *legitimate* suffering, or in other words, suffering that humanitarian organisations needed to pay attention to because of their limited mandates (see Fassin, 2012, pp. 37–43). This was reinforced by the removal of Canaan from the official IDP list. Once this happened, humanitarian organisations stressed they had no responsibility to Canaan's occupants because these people 'were officially no longer part of the humanitarian caseload.'⁴⁰⁴

The result of this self-serving logic was that there was little humanitarian sympathy or response to evictions in Canaan, including the *Mozayik* eviction (see Chapter Seven). Interviewed organisations tended to interpret the violence against Canaan's occupants as the inevitable outcome for people who had put themselves at risk. Aware of the strong political will to evict the *Mozayik* neighbourhood, coupled with their desire to detach themselves from Canaan, humanitarian organisations did not respond to the *Mozayik* evictees with material assistance or the provision of legal aid to challenge the illegal eviction. Instead, the eviction was normalised as something bound to occur to *Mozayik*'s illegal residents. One humanitarian official justified her organisation's lack of reaction to *Mozayik*'s eviction:

It is difficult for us to help the Mozayik population because the people are in violation of the state's expropriation. This group falls outside the boundaries of the [government's] second public

⁴⁰³ Interview with Haitian government official 7, Port-au-Prince, 5 November 2013.

⁴⁰⁴ Interview with humanitarian official 9, Port-au-Prince, 21 January 2014

decree, which we understand is the one that the government follows. And they are no longer part of the humanitarian caseload.⁴⁰⁵

Once again, private property concepts were invoked to justify violence against landless squatters. Some dismissed the *Mozayik* residents' loss of land access as the consequence of real-world conditions whereby not everyone can own property.⁴⁰⁶ Humanitarian ideological biases grounded in dominant property understandings is seen in the following interviewee's statement:

These people [in Canaan] now think they own land that belongs to someone else. But on what basis do they think they have this right? Sure, everyone in the world wants land. But not everyone can have it.⁴⁰⁷

Corresponding to this belief, some organisations even suggested that Nabatec's industrial park plan was a better use of Canaan's land.⁴⁰⁸ This was because Nabatec's plan was more productive and promised to build low-wage garment factories generating jobs for unemployed Haitians.⁴⁰⁹ A Haitian researcher familiar with these arguments found them so appalling that she commented: 'humanitarian organisations who espouse this view might as well be advocating for the reinstatement of the plantation system.'⁴¹⁰ Indeed, these statements were revealing of a humanitarian sector with a strong commitment to criminogenic capitalist values.

VI. Denial as a Platform for Social Control

I have explored different forms of denial used by humanitarian organisations to obscure and cover-up the harms created by their camp management and housing programmes. Humanitarian organisations rationalised their actions by relating them to the organisational goal to close post-earthquake settlements and end earthquake displacement (or at least the appearance of it). Cohen's examination of denial, however, has other important purposes beyond understanding how harmful acts are carried out and justified. Organisational denial

⁴⁰⁵ Interview with humanitarian official 9, Port-au-Prince, 21 January 2014

⁴⁰⁶ Interview with humanitarian official 3, London, 9 June 2014.

⁴⁰⁷ Interview with humanitarian official 6, Port-au-Prince, 21 April 2014.

⁴⁰⁸ Interview with humanitarian official 24, Port-au-Prince, 29 July 2014.

⁴⁰⁹ Interview with humanitarian official 24, Port-au-Prince, 29 July 2014.

⁴¹⁰ Interview with expert researcher 1, Port-au-Prince, 2 July 2014.

also shores up legitimacy for new forms of social domination. Cohen explains this relationship between organisational denial and social control in the following way:

...social control is...possible by transforming and obliterating the past, especially by weakening and redefining the relationship between what has gone before and what currently exists: not by opening the past to scrutiny, but closing it and deliberately setting up barriers to memory. This mode of policing the past calls not for the recovery of memory, but its eradication. (2000, p. 43)

Building on this idea, my last section explores the implications of humanitarian denial and techniques of neutralisation. My key argument is that humanitarian forms of denial had a significant impact on power relations between communities and state-humanitarian institutions, with particular consequences for the trajectory of Canaan's urban development.

VI.I What to do about Canaan?

Post-colonial theorists have often asserted that, in post-colonial encounters, Western categorisation of global south activity is driven by its own normative judgements and forms of knowledge, which are interlaced with Western political and material interests. Speaking about these power dynamics, Edward Said (1978, p. 95) observed: 'since one cannot...obliterate the Orient, one does have the means to capture it, treat it, describe it, improve it, radically alter it'. Said and other post-colonial theorists have argued that dismembering the political power of global south populations, especially their power to create something new, relies on portraying such populations as pathologically impoverished and deviant, therefore *requiring* colonial forms of assistance and correction (Rajagopal, 2003; Kapur, 2007; Escobar, 2011). In that respect, this thesis has shown repeatedly how discursive binary representations of deviant others and Western saviours give purpose to humanitarian organisations and legitimise their governing roles in ensuring that subordinated people 'find and/or accept...their proper place in the world' (Cain, 2000, p. 71).

Applying these insight to Canaan, we see how this settlement particularly defied state-humanitarian goals, and global power relations more broadly given Nabatec's plan to turn it

into a free trade zone.⁴¹¹ Yet, four years after the earthquake, the informal settlement's size, level of construction, and personal investment had rendered it impossible to eliminate, as had been the fate of undesirable, post-earthquake settlements inside Port-au-Prince. Some estimated that Canaan's population had invested about US\$100 million in the construction of their homes, public buildings, and small businesses.⁴¹² The settlement's development certainly challenged its humanitarian-given label as a temporary displacement camp. In fact, its more autonomous character served as a constant reminder of failed state-humanitarian promises to "Build Back Better". Canaan's growth constantly attracted international journalists trying to make sense of the settlement's origins and meanings within the broader context of the humanitarian response and reconstruction process.

Canaan's emergence also sparked international condemnation of state-humanitarian activity. In a clear reference to Canaan's development, the UN Special Rapporteur on the Human Rights of Internally Displaced Persons claimed that state-humanitarian settlement closure programmes were 'shifting the problem [of housing and displacement] elsewhere.'⁴¹³ Stated more clearly, the Special Rapporteur had made the link between the settlement's formation with illegitimate state-humanitarian practices. The UN Human Rights Committee also issued a stern warning to the state to protect Canaan's occupants against evictions. In one report the Committee states: "The State...should ensure that no persons are evicted...unless another solution has been found for them and their families and that all persons displaced by the earthquake are able to benefit from lasting solutions."⁴¹⁴ The doubts expressed by the UN

⁴¹¹ *The Economist* Intelligence Unit, Haiti is Open for Business, 12 February 2012. Available at <http://country.eiu.com/article.aspx?articleid=1018835086&Country=Haiti&topic=Economy&subtopic=Current+policy&aid=1&oid=657829050>

⁴¹² Interviews, An untold story of self-recovery in Canaan, Haiti. Available at <https://www.globalgiving.org/projects/canaan-haiti-my-town-my-story/reports/?subid=62015>
See also Hannemann et al. "Designing for Uncertainty." Available at https://www.researchgate.net/profile/Christian_Werthmann/publication/283301253_Designing_for_Uncertainty_The_Case_of_Canaan_Haiti/links/5933fa8345851553b6d8aff9/Designing-for-Uncertainty-The-Case-of-Canaan-Haiti.pdf

⁴¹³ UN General Assembly, Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to Haiti (29 June–5 July 2014), 8 May 2015, A/HRC/29/34/Add.2 p.78. Available at http://webcache.googleusercontent.com/search?q=cache:cFh6-1NVe8UJ:www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Documents/A_HRC_29_34_Add_2_sp.doc+&cd=1&hl=en&ct=clnk&gl=uk

⁴¹⁴ UN Human Rights Committee, Concluding observations on the initial report of Haiti, 21 November 2014. Available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fHJT%2fCO%2f1&Lang=en

suggest that not everyone believed that humanitarian organisations had met their goal of ending displacement. The implication is that Canaan had the potential to cause reputational damage to humanitarian organisations.

There were of course deeper motivations for the Haitian state to re-assume power and control over a valuable tract of urban land. Canaan's land occupation antagonised class relations; it symbolised the power of the alienated masses to mount an effective challenge to urban land inequalities and demand recognition. In addition, Canaan's strategic location gave squatters bargaining power. They could blockade an important transportation artery connecting Port-au-Prince with the country's northern regions, to mobilise for a state response to their demands.⁴¹⁵ When interviewed, one landed elite spoke of Canaan as a potential site of urban revolution similar to the mass revolts of the 1990s⁴¹⁶ (see also Fatton, 2002). Undoubtedly, other political and business elites perceived Canaan as a haven of social unrest and class conflict.⁴¹⁷ However, a strategy of forced evictions against a settlement of Canaan's size was political dynamite. Additionally, within state-patronage networks, many individuals had a stake in its survival.⁴¹⁸ Even some poorly paid police officers had purchased land in Canaan or set up businesses like water kiosks.⁴¹⁹

There was a shared interest that emerged between the state elite and humanitarian actors to retake control of Canaan and turn it into something less threatening, rather than eliminate the settlement with forced evictions. Both state and humanitarian actors recognised that the Haitian state would benefit from intervention in the settlement. Politicians could garner political capital from responding to a key urban problem and the state could generate new streams of revenue from regular taxation of Canaan's residents.⁴²⁰ This strategy promised more material and political benefits over isolating Canaan from the city and allowing the settlement to develop outside state control. The state's slow acceptance of Canaan's existence is explained by one U.S. embassy official:

⁴¹⁵ Interview with Haitian landowner 1, Port-au-Prince, 15 July 2014.

⁴¹⁶ Interview with Haitian landowner 1, Port-au-Prince, 15 July 2014.

⁴¹⁷ Interview with Haitian landowner 1, Port-au-Prince, 15 July 2014.

⁴¹⁸ Interview with Haitian lawyer 2, Port-au-Prince, 3 April 2014.

⁴¹⁹ Interview with Haitian lawyer 2, Port-au-Prince, 3 April 2014.

⁴²⁰ Interview with humanitarian official 36, London, 10 June 2014.

It took some convincing [by foreign actors], but now the government wants this intervention. It wants to look like it ‘saved the people.’ Who knows, if we can make it a success, maybe they will even rename Canaan the ‘Martelly commune.’⁴²¹

The symbolic violence entailed in re-naming Canaan after President Martelly is apparent. Martelly had played a key role in prioritising foreign investment over social housing and establishing a permissive environment for forced evictions. Nevertheless, his government’s reluctant agreement to intervene in Canaan attracted significant praise from the U.S. government and humanitarian organisations. The American Red Cross, in particular, facilitated the Haitian government’s resumption of control of Canaan by committing US\$ 20 million of the funds it had raised for state-led urban development.⁴²² Haiti’s housing department (UCLBP) would oversee the implementation of new projects in Canaan, and officials from the UCLBP, who had been implicated in forced evictions, were given authority to design new projects and strategies for the settlement.⁴²³ The impetus was to remove power from the autonomous communities and return it to the state. Squatters, left to their own devices, would create a slum. The Haitian government, on the other hand could correct the illegal invasion of land and transform it on a massive scale.⁴²⁴

The key rationale for re-positioning state authority over Canaan and co-opting it into the existing urban order, was to ‘turn Canaan into a success story for everyone.’⁴²⁵ All of Haiti’s dominant actors could receive material and reputational benefits from their institutional investments. Humanitarian organisations started to call the settlement a “durable solution” for displaced people. Through this discourse, states and humanitarian organisations could finally take credit for finding a long-term solution for the same people they had expelled from settlements in Port-au-Prince.⁴²⁶

⁴²¹ Interview with foreign donor, Port-au-Prince, 28 April 2014.

⁴²² Interview with foreign donor, Port-au-Prince, 28 April 2014.

⁴²³ Interview with foreign donor, Port-au-Prince, 28 April 2014.

⁴²⁴ Interview with foreign donor, Port-au-Prince, 28 April 2014.

⁴²⁵ Interview with humanitarian official 40, Port-au-Prince, 1 August 2014.

⁴²⁶ Interview with humanitarian official 40, Port-au-Prince, 1 August 2014.

VI.II Transforming Canaan into a neoliberal success story.

Given the scale of vulnerabilities in Canaan, people living in the settlement were in desperate need of state welfare, including safer housing, basic infrastructure, and employment. The settlement's incorporation into the state's urban and housing plan did not address these needs or improve state responsibility and accountability to its people. Instead, Canaan witnessed a repeat of isolated humanitarian projects built on the logic of "resilience." David Chandler notes that, at the heart of this logic, is a nudging, steering, and priming of individuals to make the right choices as rational market actors (2016, p. 31). In Canaan, the logic of resilience is seen in state-humanitarian praise of squatters for their market achievements. International donors, the Haitian state, and humanitarian organisations repeatedly quoted the US\$100 million figure of local investment in Canaan as a way of signalling why this particular settlement (as opposed to other informal settlements) had been marked out for humanitarian-funded projects. Squatters' personal investments, demonstrating their ability to survive without the state, essentially made them a neoliberal success story. This dovetailed with the state-humanitarian plan to provide minimal welfare to the settlement population.⁴²⁷ Squatters needed help to construct the settlement within the guidelines set forward by the state. They needed *training* to understand how to fulfil their own needs, including training to build safer homes.⁴²⁸

This neoliberal success story, coupled with the state's role to correct illegal land behaviours, grounded humanitarian support for repressive state acts. Since the government was in charge of implementing a new urban plan for Canaan, it was now empowered to relocate people living in the settlement's "risky" zones (i.e. areas at risk of natural hazards). Some humanitarian officials, voicing support for the state's role to ensure safe urbanisation, paid little attention to the fact that the government had failed to develop criteria or guidelines for how they would select houses for relocation.⁴²⁹ Meanwhile, government officials announced in the Haitian press their intention to evict people who had chosen to live in ravines in Canaan. However, there was no mention of providing alternative housing. State officials publically voiced their intention to invite private investors to Canaan to transform the

⁴²⁷ Interview with humanitarian official 40, Port-au-Prince, 1 August 2014.

⁴²⁸ Interview with humanitarian official 37, Port-au-Prince, 16 July 2014.

⁴²⁹ UCLBP Urban Development Plan for Canaan obtained on 15 July 2014.

settlement into ‘an urban pole coherent with a global vision for the northern periphery.’⁴³⁰ In doing so, they articulated their intention to develop Canaan according to the same market logic that had led to the creation of the vulnerable settlement.

At no point did squatters’ desires for land use and legal recognition of their land rights factor into state-humanitarian plans for Canaan’s urban development. Humanitarian organisations expressed that squatters’ legal status was the government’s decision and a problem that would eventually sort itself out.⁴³¹ They were not willing to advocate for squatters’ demands for legal and political recognition of their occupied properties. These actions illustrate the harmful effects of humanitarian power relations and modes of governance. The notion that squatters’ land claims could be simply tabled for a later date, and that they were less important than technical upgrades to the settlement, characterised humanitarian thinking and approaches to Canaan, which played a role in exposing vulnerable squatters to new patterns of criminality and violence.

VII. Conclusion

By applying Cohen’s (1993, 2000) theory of denial, this chapter has exposed the denial strategies of humanitarian organisations involved in forced evictions and the creation of precarious informal settlements. I argue that state-humanitarian settlement closures and forced evictions facilitated the mass movement of people from Port-au-Prince to Canaan, where they faced new vulnerabilities in a volatile reconstruction environment. These dynamics, while working toward humanitarian goals to reduce camp population numbers, posed a reputational threat for humanitarian actors. Increasingly, humanitarian actors faced scrutiny for abandoning their duty of care to populations they excluded from housing assistance and effectively rendered homeless.

This chapter has focused on Canaan to demonstrate the consistent re-appropriation of meaning of the informal settlement to protect humanitarian interests. The flux in Canaan’s social and spatial identities explains how different challenges to the humanitarian narrative were met with new interpretations of the events leading to the settlement’s formation and

⁴³⁰ UCLBP Urban Development Plan for Canaan obtained on 15 July 2014.

⁴³¹ Interview with humanitarian official 20, Port-au-Prince, 29 July 2014.

growth. What remained consistent throughout, however, was how the narration of events worked within the framework of state-humanitarian interests. When the state refused to acknowledge Canaan, and forbade the delivery of humanitarian services to the new settlement, humanitarian actors maintained silence about mass population movements to the area. Then, by labelling the site an IDP camp, they found ways to reconcile their humanitarian commitments with state interests. This involved stressing the temporariness of Canaan settlement in ways that flouted their actual understanding of the land and settlement goals of squatter communities. Humanitarian actors participated, too, in discourses criminalising squatters' land behaviours. Finally, when deemed useful and politically appropriate, humanitarians recast the squatter situation as a positive new beginning for state-led urban development. Underneath each of these discursive shifts is therefore an attempt to whitewash the past and reframe Canaan as something other than the harmful outcome of state-humanitarian activities and decision-making.

The result of these power dynamics was that Canaan's autonomous communities – attempting to achieve a different form of living in the settlement – became re-embedded in the material, ideological, and bureaucratic framework of capitalist reconstruction and development that they had tried to escape. Humanitarian attempts to distract the public and distance themselves from the harmful outcomes of their programmes reveal how their power was maintained and reproduced throughout the reconstruction period. Humanitarian denial strategies relied on othering practices to blame squatters for circumstances that are in fact the result of their (humanitarian's) deviancy. When this failed, humanitarian actors leveraged their moral position to detach themselves from the harmful consequences of their actions, leading them to blame the Haitian state as the sole culprit of any wrongdoing. Organisations in Haiti colluded, when needed, to construct a narrative that absolved them from responsibility for perpetuating mass homelessness after the closure of Port-au-Prince settlements. Through various techniques of neutralisation, including victim-blaming, cover-ups, and appeals to their moral superiority, humanitarian organisations were able to preserve their power and authority over landless people. The ways they sought out and reasserted control over populations showed the power that they served.

Conclusion

I. The Criminogenic Roles of Humanitarian Actors in the Context of Disasters

This thesis has sought to explore the criminogenic roles of international humanitarian organisations in their responses to ‘natural’ disasters. This required clarifying what we mean by ‘crime’ and laying out an approach for identifying harmful organisational behaviours, and for determining certain behaviours as criminal. Reviewing critical criminological debates about crime, this thesis adopted Green and Ward’s (2000) tripartite definition to determine humanitarian and state-humanitarian crime. In doing so, this thesis also recognised the importance of other criminological perspectives on social harm and institutional violence that enrich our understanding of how material processes shape social and political structures and heighten potentials for harmful outcomes (Hillyard et. al., 2004; Cooper and Whyte, 2019). These perspectives urge us to critically examine the power of the state, corporations, and other influential institutions in society and their ability to cause harm and crime – often via their everyday, mundane operations and decision-making.

From this position, this thesis has empirically demonstrated that humanitarian organisations are part of a complex global architecture that can sustain capitalist inequalities and social injustices. In Haiti, it pointed to the dependency and interrelationships between states and humanitarian organisations in the dealing with population problems generated by intrusive forms of international capital. Through an intricate analysis of Haiti’s post-earthquake land struggles, we uncovered a range of legal and illegitimate methods used by humanitarian organisations to suppress earthquake victims who were contesting harmful capitalist values and conditions. Haiti’s 2010 humanitarian intervention, therefore, offers compelling evidence against the claims that international humanitarian organisations operate as agents of protection for crisis-affected people.

My interrogation of Haiti’s humanitarian intervention thus illuminated how a concept of state-humanitarian crime might be useful for critical criminologists seeking to expose the transnational dimensions of criminal activity. This thesis has considered a definition of state-humanitarian crime that is similar to previous definitions of state-corporate crime, in which it scrutinised the ‘illegal and socially injurious actions’ that occur when humanitarian

organisations ‘pursue goals in direct cooperation’ with ‘one or more institutions of political governance’ (Michalowski and Kramer, 2006, p.15). Therefore, in parallel to state-corporate crime research, a concept of state-humanitarian crime seeks to analyse forms of organisational deviance that emerge from the ways that state and humanitarian organisations intersect (Michalowski and Kramer, 2006, p.20). Of course, the concept of state-humanitarian crime developed and tested in this thesis has obvious limitations. The thesis relied on qualitative case study methodology centred on a single case (Haiti) to base its analysis and conclusions. It furthermore focused on only one type of humanitarian intervention (disaster response). Haiti, by nature of its geographic location and type of crisis, likely drew together a specific group of humanitarian organisations. Therefore, we may see different power dynamics between humanitarian organisations, and between humanitarian organisations and states, in different social contexts. For this reason, future research that can build on the study of state-humanitarian actions, inactions, and motivations for criminal activity is necessary for testing this concept’s utility and for expanding what we mean by state-humanitarian crime.

Nevertheless, from a literature review and empirical study of Haiti, it was argued here that international humanitarian organisations are important subjects of criminological inquiry because of their considerable influence within crisis zones and their symbiotic relationships with states (both foreign and local). While there are many different forms of ‘humanitarianism’ in circulation, this thesis demonstrated that a clearly dominant structure of international humanitarianism has emerged and it is highly dependent on states – for funding, legitimacy, and access to populations. In theory, humanitarian organisations are bound to strict principles of humanity, neutrality, impartiality, and independence. Yet, as we saw Chapter Two, humanitarian organisations increasingly go beyond ‘life-saving’ activities and become involved in problematic forms of global governance. This has resulted in humanitarian actors assuming state functions in ways that challenge their normative commitments – especially when they are called upon to govern human movements and restrict people’s claims for state protection (Koch, 2014).

Humanitarian organisations, it would appear then, are essential structures for mediating state power and allowing states to govern and exercise repression at a distance. This thesis presented arguments about how the aid agendas of economically dominant states, often termed the ‘securitisation of aid,’ has driven even closer, potentially collusive, relationships

between humanitarian organisations, states, multilateral institutions (e.g. World Bank), foreign militaries, and other elites in the performance of humanitarian work (Duffield, 2001). The political and economic conditions moulding humanitarian roles, mandates and activities thus point to a global humanitarian system that is increasingly tied to the objectives and interests of dominant states. These power relations, in turn, raise significant concerns for people who are targeted and governed by humanitarian organisations.

Organisational competition within the humanitarian marketplace has also become increasingly intense. Contemporary examples of humanitarian activity have shown the significant pressure on humanitarian organisations to deliver on their stated goals and claimed responsibilities – which are often out of their reach due to their lack of resources or decision-making power. This pressure can tempt organisations to breach human rights norms and standards, because an organisation's ability to obtain donor funding is linked to its survival. In addition to this, international NGOs and intergovernmental institutions entrusted to provide or administer aid to communities enjoy considerable privileges and immunities under international law (Ferstman, 2017). These conditions may generate deviant organisational outcomes because organisations are able to commit harm and crime with relative impunity. Still, to a large extent, the moral authority of humanitarian organisations and their day-to-day activities are seldom questioned, which is partially a consequence of their value to the exercise of state power. Humanitarian ideology also operates to sustain the reproduction of humanitarian power by allowing organisations to assert certain limits to their actions and to their duty of care to affected populations.

We also reviewed why disasters are important events for criminological study of humanitarian organisations. This entailed unpacking the wider criminogenic political economy surrounding disasters to reveal some of the potentials for humanitarian deviancy and harm production. Drawing from state crime theory and empirical examples, this thesis demonstrated how disaster-related harms (i.e., displacement or homelessness) are not simply the outcome of unanticipated disaster events. Disasters are events that shine a light on the 'unavoidable excesses and inequalities of capitalism' (Loewenstein, 2015, p. 9). In other words, the harmful outcomes triggered by disasters are rooted in the social conditions that are shaped by the laws and logic of capital. To make this clear, we revisited Marx's political economy approach and his core propositions related to the circulation of capital and its destructive effects through

continual expansion. We also considered the key role of the state in creating the conditions necessary for rapid and ongoing capital accumulation. States, it was argued, are motivated to initiate or overlook crimes linked to their goals of accumulation and the consolidation of political (and territorial) power. Applying Marx's approach, critical criminologists have drawn attention to capital's inherent contradictions between value production and social protection, and the structural motivations that exist for states to deviate from human rights standards in securing optimal market conditions, thus producing vulnerability to harms triggered by disasters (Green, 2005; Whyte, 2009, p.175).

Our theoretical enquiry also touched upon the importance of disaster reconstruction environments as particularly enticing spaces for international capital via the efforts of economically dominant states to assert their political power over states that are less dominant. Klein's (2007) term "disaster capitalism" depicts the various roles undertaken by states to achieve their interests in the aftermath of disasters. On the one hand, Klein empirically shows how states are involved in redirecting public aid funds to corporate projects and profit-making. On the other, she explains the efforts of economically dominant states to exploit the disorder and weak accountability created in post-disaster contexts for the purposes of restructuring local economies to benefit long-term economic objectives. What Klein makes clear in her analysis is that dominant states are able to reframe reconstruction priorities and conditions contrary to the interests and social needs of affected people – often by mobilising humanitarian discourses and institutional arrangements. This thesis, through empirical detail, has defined various reconstruction policies designed by states as deviant based on their clear violation of international human rights standards and their labelling as such by Haitian civil society.

II. Haiti, Humanitarianism, and the Political Economy of Disaster Reconstruction

Building upon these theoretical insights, this thesis then turned to its attention to Haiti. Beginning with slavery, Haiti has been repeatedly victimised by foreign state violence and deviant policymaking designed to make the small Caribbean island subservient to international (primarily American) capital. The constant and coerced integration of Haiti's economy with that of the U.S. – coupled with U.S. bankrolling of politically repressive Haitian governments – has consolidated state corruption, poverty, inequality, and harmful imbalances in land distribution and control. Over time, the collusive and criminal relationships between U.S. and

Haitian authorities have pushed millions of dispossessed peasants into deprived urban areas where they lack safe, decent, and affordable housing. Over-urbanisation, in turn, was one of the key contributors to mass displacement, homelessness, and death when the 2010 earthquake struck Port-au-Prince.

Klein's "disaster capitalism" concept took root in Haiti through the prioritisation of state-corporate interests over the housing needs of disaster victims. Rather than address violations of people's right to housing stemming from prior patterns of state deviance, the U.S. and other foreign states engineered Haiti's adoption of new neoliberal policies that would sustain the conditions responsible for creating mass homelessness. Significant amounts of foreign aid committed to Haiti's reconstruction by international donors, ostensibly to build homes for Haitians, was instead redirected to multinational corporations and state entities such as the military. Today, there is little to show from foreign pledges to "Build Back Better." Instead of significant improvements to housing, we saw instead that foreign reconstruction funds were allocated for new industrial parks for foreign corporations to take advantage of cheap Haitian labour. This use of aid was complemented by foreign efforts to develop a lax regulatory framework for Haiti's mining sector. Both outcomes of foreign intervention in Haiti's economy after the earthquake have exposed Haitians to new state and corporate harms (Sontag, 2012). In fact, foreign involvement in Haiti's mining sector is likely to generate even more forced rural-urban migration as rural populations now face threats to their land and livelihoods in mining areas.⁴³²

This thesis identified the institutional arrangements, ideologies, and actions of international humanitarian organisations that facilitated "disaster capitalism" dynamics and power relations. Humanitarian organisations were instrumental in disseminating discourses that marginalised Haitian communities and elevated international expertise to fix Haiti's urban problems. At a discursive level, they aided foreign states in deflecting attention away from deviant state policies that contributed to over-urbanisation and mass homelessness. Organisations continued to proffer hegemonic discourses even when they became aware of the sheer lack of foreign donor interest to provide housing for disaster victims. The discursive

⁴³²Happel, E. Water is More Valuable than Gold, 25 April 2016. Retrieved from <https://nacla.org/news/2016/04/25/water-more-valuable-gold>.

cover provided by the “Build Back Better” rhetoric allowed foreign states to take control of the reconstruction process, and to insert their deviant interests into Haiti’s roadmap for reconstruction.

We also observed how the humanitarian marketplace shaped ongoing power relations between international actors and local communities. Within Haiti’s humanitarian marketplace, both “humanitarian” and “development” organisations vied for donor resources and authority to determine approaches for re-housing earthquake victims. Humanitarian organisations, however, had the strategic advantage of offering quick-fix solutions to donor states and the Haitian government. Development organisations, in contrast, advocated for long-term approaches focused on house construction and affordability. Once humanitarian organisations secured their authority and share of the marketplace on the ground, their short-term mandates ultimately allowed them to argue limits to their duty of care to earthquake victims. The result was an overwhelming lack of progress. In reflecting on this outcome, Haiti’s experience indeed validates the value of international humanitarian organisations to foreign states that are seeking to *limited* responses to harms created by their drives for accumulation – and in ways that still inflate the image of Western states as problem-solvers for “developing” states (Kiely, 2010, p. 218).

This thesis also confirmed observations within critical humanitarian literature on humanitarian governmentality and its links to state interest. My fieldwork brought out the key role that humanitarian organisations played in neutralising Port-au-Prince’s post-disaster land struggles – in particular by classifying squatter populations according to internationally-accepted definitions. Humanitarian labelling of squatter populations as IDPs not only provided sanitised ways of interpreting urban struggles, but they also connected with prescribed and efficient techniques for managing populations who had disrupted the urban order. The managerial approaches of humanitarian organisations provided immense benefits to Haitian elites by shifting land control and the balance of power from squatter communities to state actors and landowning elites. Their divisive and individualised approaches to aid also helped undermine community cohesion in new squatter sites. As discussed repeatedly through this thesis, humanitarian aims and methods worked against those pursued by local communities, who sought to ensure that their long-term needs for housing were met.

Humanitarian techniques of surveillance and data collection in Haiti also produced standardised ways of “knowing” the displaced populations that went against local people’s needs and interests. The “truth” produced by statistical data, gathered by IOM’s Displacement Tracking Matrix (DTM), reinforced pre-developed humanitarian solutions for dealing with “uprooted” populations. Forms of population surveillance like the DTM were quickly co-opted by state interest and weaponised against squatter communities. Haitian state frequently used DTM data as a means of pressuring humanitarian organisations to close remaining settlements and return urban land back to the state and Haitian elite.

This thesis further observed the functional importance of private property concepts to humanitarian governance. In line with capitalist values and logics, humanitarians interpreted property as individually held, giving property owners the right to excluded others from landed resources. In humanitarian-governed camps, property became as the key reference point for determining earthquake victims’ housing entitlements; it also provided a method for emptying camps without confronting hard political questions over access to land. Thus, by privileging property rights over other rights (i.e. housing), humanitarian organisations helped normalise the city’s unequal distribution of landed property and the harms caused by this situation.

In addition to property, humanitarian logics of return were used to control the movements and housing behaviours of squatter populations. Humanitarian organisations suggested that they had a duty to re-insert displaced people into their natural place of belonging within the city – regardless if those places put people at risk of future harm and violence. Needless to say, return discourses directly reinforced state interests by allowing the state to evade its responsibilities to address mass homelessness and the poor conditions in slum neighbourhoods. Over time, humanitarian return discourses typified organisational indifference to the violent circumstances of disaster victims’ pre-earthquake living conditions.

III. Humanitarian Deviance and State-Humanitarian Crime

Chapter Five applied Green and Ward’s (2004) definition of state crime to expose humanitarian deviance in Haiti’s housing sector. It identified specific examples where humanitarian organisations deviated from human rights norms and standards due to their privileged relationships with states and Haiti’s landowning elite. Preoccupation with performance goals and reputational demands were also factors that persuaded organisational

wrongdoing. Broadly speaking, the thesis found that decisions about humanitarian housing projects were primarily tied to state and organisational interests and were not the product of democratic consensus involving victims. Instead of protecting earthquake victims' right to housing, humanitarian decisions to build housing or improve land access were influenced by their own notions of reputational risk, scalability, market innovation, and state acceptability.

The research exposed several human rights violations associated with humanitarian policies. These rights violations materialised in response to perceived barriers to the quick resolution of the displacement crisis. One year after the earthquake, humanitarian organisations were faced with a situation in which 78% of the 600,000 people still living in post-earthquake settlements lacked access to land or affordable housing. Meanwhile, the Haitian state had made no effort to identify land for post-earthquake re-housing. It had also neglected its role to develop an urban housing plan. This situation, coupled with limited donor funding for housing, created a significant obstacle for humanitarian actors in terms of fulfilling their stated and normative commitments to earthquake victims. Humanitarian organisations also faced significant media pressure to demonstrate their expertise and ability to solve housing problems.

Rather than call attention to state failures, or advocate on behalf of land-vulnerable populations, several humanitarian organisations decided to pursue “workable” solutions that only created the appearance of meeting state-humanitarian responsibilities to earthquake victims. The rental subsidy cash grant (RSCG) programme was a prime example of deviant state-humanitarian policymaking. The programme effectively expelled populations from post-earthquake settlements, without adequate alternatives for housing, and helped abdicate the Haitian state from its obligations to fulfil the right to housing. The policy's coercive, and sometimes violent, implementation was masked by triumphant claims from humanitarian organisations that they had ended Haiti's displacement crisis. Yet, robust data collected by the humanitarian sector showed the harmful consequences of their policy, especially in terms of reinforcing long-term homelessness and landlessness.

Similar forms of organisational deviance that emerged when humanitarian organisations arbitrated land conflicts between the state, elite landowners, and landless populations. This thesis found that organisational preference for the speedy resolution of land

conflicts (as part of the strategy to empty settlements) led humanitarian organisations to abandon important due-process norms that were meant to protect people from forced evictions. Land occupants desiring to stay in informal settlements, or assert their rights to housing via their land control, were rendered powerless by humanitarian negotiations and logistical operations predicated on removing them from conditions of “illegal” residence. Humanitarian approaches to evictions were justified in terms of the need to remove illegal populations living on other people’s land from situations that may lead to harm. Yet, for these people, their expulsion from settlements did not reduce their exposure to violence. My thesis revealed strong biases by humanitarian officials against landless people, which partially explains their appreciation of elite forms of truth and their collusion with the state-elite in recognising their property claims over the claims of landless populations.

IV. Anti-Capitalist Resistance and Censuring State-Humanitarian Harm and Crime

This thesis also argued that mobility and land occupation were forms of resistance used by landless, earthquake-affected populations to apply sanctions to state-humanitarian harm and crime. This conclusion was based on my fieldwork in Canaan, a new settlement on the periphery of Port-au-Prince, whose formation was intertwined with the deviant acts of powerful actors involved in housing decisions. The post-earthquake exodus from inner Port-au-Prince to Canaan was due to forced evictions, rental market unaffordability, and the implementation of violent and exclusionary housing policies by the state and humanitarian organisations. My interviews with Canaan’s land occupants revealed widespread discontent and rejection of state-humanitarian housing policies that justified their subversion of the rental subsidy cash grant (RSCG) programme and led to extra-legal land occupations on the urban periphery. Canaan’s land occupants dismissed the RSCG programme as illegitimate because the policy cemented predatory class dynamics, based on the distribution of landed property, while failing to protect people from long-term homelessness.

Chapter Six also brought to light the alternative, often anti-capitalist values embedded in people’s vision for Canaan as a new neighbourhood within the reconstructed city. Land was depicted as the basis for human freedom – every family was entitled to have equal access to land to fulfil their needs and aspirations. In Canaan, people elevated the social and collective uses of land over its commodification and appropriation by foreign investors for a new free

trade zone. They called for more public control and social input into reconstruction decisions. Both land control and social autonomy were portrayed as ways for people to recreate a more inclusive urban environment. Of significance was how land-occupants' discourses on the ideal relationship between people and land organised their social critique of state-humanitarian behaviours. Land occupants rejected what they saw as institutional collusion between the state, private landowners, and humanitarian organisations, especially in creating a situation whereby a small minority were able to re-exert their exclusionary rights over urban land needed by the majority to enjoy their fundamental freedoms and rights. These counter-hegemonic ideas aired in Canaan, and the ways they were put into practice, constituted the force necessary to shift land use from the construction of a new free trade zone (IEZ) to the consolidation of a new informal settlement for the urban poor. The remarkable and spontaneous formation of Canaan is therefore symbolic in illustrating the sanctioning power of Haiti's earthquake-affected communities.

V. Humanitarian Re-Victimisation, Denial, and Impunity

Although a space of resistance, the Canaan settlement simultaneously offered a framework for understanding how humanitarian interventions ultimately deepened conditions of urban illegality and precariousness, and created new ways for international institutions to reproduce their power and influence over urban environments. Little by little, Canaan began to resemble a catchment area for excluded people. The conditions of insecurity and illegality that people encountered in this post-earthquake settlement also created new vulnerabilities to state violence and organised crime.

Despite these conditions in Canaan, and the link between population expulsions and Canaan's development, humanitarian organisations told the world that Haiti's housing problem was no longer as acute as it had been in the aftermath of the earthquake. In this way, humanitarian organisations helped normalise the insecurity of landless people. Once people were cast out of camps – so-called spaces of humanitarian protection – they were easily stigmatised by state and humanitarian actors as unauthorised and deviant. In line with observations made by critical criminology, the state's privileged position to criminalise and sanction certain social behaviours frequently aligns with their failures to provide for their citizens (Pearce, 1976, p. 81). As we saw with the discourses around squatting, states and their

accomplices often use position to frame unauthorised human activity as the moral failure of individuals, and not the state.

Different forms of state-humanitarian stigmatisation occurred despite the fact that new settlements had exposed people to new patterns of post-disaster criminality and violence. Canaan's population of poor, unprotected people easily drew predatory groups and state authorities seeking to profit from the legal and physical insecurity of the settlement's residents. This dynamic, in turn, threatened to destabilise the incremental gains that people had made in terms of constructing new neighbourhoods and slowly building their security of tenure. Such realities prove that state-humanitarian failures and housing policies put people at risk of constant re-victimisation in the post-earthquake period.

Although state-humanitarian housing policies and forced evictions played a significant role in increasing the vulnerability of landless people to abuse, exploitation, and future natural disasters, there is little public recognition of these social impacts. To explain this, I interrogated humanitarian strategies of denial and their productive nature. Humanitarian organisations continually formed new explanations to deal with the contradictions and excesses of their policies. There is no better example of this than the shifting narrative about Canaan: from an IDP camp, to an illegal squatter settlement, to a promising new extension of Port-au-Prince. Each new narrative of Canaan was grounded in the need to explain the informal settlement as something other than the negative outcome of state-humanitarian programmes. By successfully achieving this, humanitarian organisations were eventually able to repurpose Canaan in the framework of the state's urban development plan and assist the state to reclaim its authority over the squatter settlement.

This outcome for Canaan throws into stark relief the importance of denial strategies in the maintenance of humanitarian power and credibility. Even though humanitarian interventions in the housing sector were largely unsuccessful, they did not preclude humanitarians from re-asserting their dominance as the solution to problematic, informal urbanisation emerging in the post-disaster period. Because humanitarians were not held accountable for the harmful consequences and contradictions arising from their policies and actions, this impunity fostered new opportunities for humanitarian organisations to intervene in population problems of their own making.

To conclude, this thesis points to the circularity that defines humanitarian action. Humanitarian organisations not only have the potential to commit harm and crime in collaboration with states and the roles they fulfil, but they also help contribute to long-term population issues. These issues, in turn, continually mobilise the need for humanitarian actors to address problematic human movements and settlements. To paraphrase Andersson, ‘illegality is not just produced; it is also productive’ (2014, p. 274).

ANNEX 1: Housing and Reconstruction Interviews

Type of Interview	Organisation	Role/Expertise	Date
Humanitarian official 1	UN/Intergovernmental	Camp Management	15-Nov-13
Humanitarian official 2	UN/Intergovernmental	Camps/Disaster Mitigation	16-Nov-13
Humanitarian official 3	UN/Intergovernmental	Camp Management	9-Jun-14
Humanitarian official 4	UN/Intergovernmental	Camp Management	26-Jun-14
Humanitarian official 5	International NGO	Camps/Housing	10-Apr-14
Humanitarian official 6	UN/Intergovernmental	Camp Management	21-Apr-14
Humanitarian official 7	UN/Intergovernmental	Protection	21-Apr-14
Humanitarian official 8	UN/Intergovernmental	Protection	21-Jan-14
Humanitarian official 9	UN/Intergovernmental	Camps/Protection	21-Jan-14
Humanitarian official 10	UN/Intergovernmental	Camp Management	26-Jan-14
Humanitarian official 11	UN/Intergovernmental	Head of Organisation	2-Aug-14
Humanitarian official 12	International NGO	Camps/Housing	17-Jul-14
Humanitarian official 13	International NGO	Camp Management	16-Jul-14
Humanitarian official 14	International NGO	Camp Management	16-Jul-14
Humanitarian official 15	Donor Government	Camps/Housing	7-Apr-14
Humanitarian official 16	International NGO	Camp Management	30-Jun-14
Humanitarian official 17	International NGO	Camp Management	22-Oct-13
Humanitarian official 18	International NGO	Camp Management	22-Oct-13
Humanitarian official 19	UN/Intergovernmental	Housing/reconstruction	27-Jul-14
Humanitarian official 20	UN/Intergovernmental	Camp Management	29-Jul-14
Humanitarian official 21	UN/Intergovernmental	Camp Management	22-Oct-13
Humanitarian official 22	UN/Intergovernmental	Camp Management	20-Mar-14
Humanitarian official 23	International NGO	Camp Management	29-Mar-15
Humanitarian official 24	UN/Intergovernmental	Head of Organisation	29-Jul-14
Humanitarian official 25	UN/Intergovernmental	Camp Management	10-Apr-14

Humanitarian official 26	UN/Intergovernmental	Camp Management	27-Mar-14
Humanitarian official 27	International NGO	Camp Management	30-Jul-14
Humanitarian official 28	UN/Intergovernmental	Head of Organisation	4-Nov-13
Humanitarian official 29	International NGO	Camps/Housing	28-Mar-14
Humanitarian official 30	UN/Intergovernmental	Housing	4-Nov-13
Humanitarian official 31	UN/Intergovernmental	Head of Organisation	4-Nov-13
Humanitarian official 32	UN/Intergovernmental	Head of Organisation	3-Mar-14
Humanitarian official 33	International NGO	Camps/Housing	15-Jul-14
Humanitarian official 34	UN/Intergovernmental	Housing/reconstruction	3-Jul-14
Humanitarian official 35	UN/Intergovernmental	Housing/reconstruction	10-Jun-14
Humanitarian official 36	UN/Intergovernmental	Housing/reconstruction	3-Jul-14
Humanitarian official 37	International NGO	Housing/Urban Planning	16-Jul-14
Humanitarian official 38	International NGO	Housing	24-Jul-14
Humanitarian official 39	International NGO	Camps/Protection	24-Nov-15
Humanitarian official 40	International NGO	Housing/Urban Planning	1-Aug-14
Humanitarian official 41	UN/Intergovernmental	Camp Management	7-May-14
Humanitarian official 42	UN/Intergovernmental	Housing/Property	24-Oct-14
Humanitarian official 43	UN/Intergovernmental	Housing/Property	22-Oct-14
Humanitarian official 44	International NGO	Housing	15-Jul-14
Humanitarian official 45	International NGO	Camps/Housing	17-Jul-14
Humanitarian official 46	UN/Intergovernmental	Housing	18-Jul-14
Humanitarian official 47	International NGO	Housing/Property	17-Jun-14
Humanitarian official 48	UN/Intergovernmental	Data Management	15-Mar-14
Humanitarian official 49	International NGO	Camps/Housing	7-Aug-14
Humanitarian official 50	UN/Intergovernmental	Camps	7-Aug-14
Government official 1	Haitian government	Housing	14-Jul-14
Government official 2	Haitian government	Housing	13-May-14
Government official 3	Haitian government	Housing/Urban Planning	6-Aug-14
Government official 4	Haitian government	Housing	17-Mar-14
Government official 5	Haitian government	Housing/Urban Planning	6-Aug-14
Government official 6	Haitian government	Housing	13-May-14
Government official 7	Haitian government	Housing	5-Nov-13
Government official 8	Haitian government	Public Works	24-Jan-14
Government official 9	Haitian government	Public Works	25-Jan-14
Government official 10	Haitian government	Public Works	7-Jul-14
Government official 11	Haitian government	Housing	6-Aug-14
Haitian Lawyer 1	UN/Intergovernmental	Legal advisor	12-Mar-14
Haitian Lawyer 2	UN/Intergovernmental	Legal advisor	3-Apr-14
Haitian Lawyer 3	UN/Intergovernmental	Legal advisor	12-Mar-14

Haitian Lawyer 4	UN/Intergovernmental	Legal advisor	12-Mar-14
Haitian Lawyer 5	UN/Intergovernmental	Legal advisor	2-Aug-14
Haitian Lawyer 6	UN/Intergovernmental	Legal advisor	25-Jul-14
International housing advisor 1	International NGO	Housing	26-Feb-14
International housing advisor 2	International NGO	Housing	27-Feb-14
International housing advisor 3	International NGO	Housing	17-Mar-14
International housing advisor 4	UN/Intergovernmental	Housing	15-Nov-13
International housing advisor 5	Foreign Government	Housing	15-Jul-14
Reconstruction advisor 1	Multilateral Organisation	Housing/reconstruction	15-Nov-13
Civil Society 1	Haitian civil society	Housing activist	25-Oct-13
Civil Society 2	Haitian civil society	Housing activist	24-Apr-14
Civil Society 3	Haitian civil society	Housing activist	24-Apr-14
Civil Society 4	Haitian civil society	Housing activist	24-Apr-14
Civil Society 5	Haitian civil society	Housing activist	24-Apr-14
Civil Society 6	Haitian civil society	Housing activist	24-Apr-14
Civil Society 7	Haitian civil society	Housing activist	24-Apr-14
Civil Society 8	Haitian civil society	Housing activist	24-Apr-14
Civil Society 9	Haitian civil society	Housing activist	24-Apr-14
Civil Society 10	Haitian civil society	Housing activist	6-Aug-14
Civil Society 11	Haitian civil society	Housing activist	6-Aug-14
International housing activist 1	International NGO	Housing activist	6-Apr-14
International housing activist 2	International NGO	Housing activist	4-Nov-15
International housing activist 3	International NGO	Housing activist	25-Oct-13
International housing activist 4	International NGO	Housing activist	28-Oct-15
International researcher 1	International Institute	Camps	2-Jul-14
International researcher 2	International Institute	Camps/Housing	27-Apr-18
International researcher 3	University	Camps/Housing	25-Jul-14
International researcher 4	University	Camps/Housing	15-May-14

International researcher 5	University	Camps/Housing	15-May-14
Haitian Academic 1	University	Migration	10-Jul-14
Haitian Academic 2	University	Urban Studies	6-Aug-14

Annex 2: Interviews in Post-Earthquake Settlements

Type of Interview	Location	Date
Post-Earthquake Settlements (Inside Port-au-Prince)		
Land occupant	Tabarre Isa	2-Apr-14
Land occupant	Tabarre Isa	2-Apr-14
Land occupant	Tabarre Isa	2-Apr-14
Land occupant	Tabarre Isa	2-Apr-14
Land occupant	Chegar	10-May-14
Land occupant	Chegar	10-May-14
Land occupant	Chegar	10-May-14
Land occupant	Chegar	10-May-14
Land occupant	Acra	28-Mar-14
Land occupant	Acra	28-Mar-14
Land occupant	Acra	28-Mar-14
Land occupant	Acra	28-Mar-14
Land occupant	Corail	7-Apr-14
Land occupant	Corail	7-Apr-14
Land occupant	Corail	7-Apr-14
Land occupant	Corail	7-Apr-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Land occupant	Caradeux	19-July-14
Canaan Settlement		
Land occupant 1	Village des Pêcheurs	15-Apr-14
Land occupant 2	Village des Pêcheurs	15-Apr-14

Land occupant 3	Village des Pêcheurs	17-May-14
Land occupant 4	Village des Pêcheurs	17-May-14
Land occupant 5	Village des Pêcheurs	17-May-14
Land occupant 6	Village des Pêcheurs	17-May-14
Land occupant 7	Village des Pêcheurs	18-May-14
Land occupant 8	Village des Pêcheurs	20-May-14
Land occupant 9	Village des Pêcheurs	25-May-14
Land occupant 10	Village des Pêcheurs	19-Jun-14
Land occupant 11	Village des Pêcheurs	19-Jun-14
Land occupant 12	Village des Pêcheurs	19-Jun-14
Land occupant 13	Village des Pêcheurs	20-Jun-14
Land occupant 14	Village des Pêcheurs	20-Jun-14
Land occupant 15	Village des Pêcheurs	20-Jun-14
Land occupant 16	Village des Pêcheurs	20-Jun-14
Land occupant 17	Village des Pêcheurs	21-Jun-14
Land occupant 18	Village des Pêcheurs	20-Jun-14
Land occupant 19	Village des Pêcheurs	22-Jun-14
Land occupant 20	Village des Pêcheurs	24-Jun-14
Land occupant 21	Village des Pêcheurs	24-Jun-14
Land occupant 22	Village des Pêcheurs	25-Jun-14
Land occupant 23	Village des Pêcheurs	26-Jun-14
Land occupant 24	Mozayik	26-Jun-14
Land occupant 25	Mozayik	28-Jun-14
Land occupant 26	Mozayik	28-Jun-14
Land occupant 27	Mozayik	28-Jun-14
Land occupant 28	Mozayik	29-Jun-14
Land occupant 29	Mozayik	29-Jun-14
Land occupant 30	Mozayik	1-Jul-14
Land occupant 31	Mozayik	1-Jul-14
Land occupant 32	Mozayik	2-Jul-19
Land occupant 33	Canaan Troix	8-Jul-14
Land occupant 34	Canaan Troix	8-Jul-14
Land occupant 35	Canaan Troix	8-Jul-14
Land occupant 36	Canaan Troix	9-Jul-14
Land occupant 37	Canaan Troix	9-Jul-14
Land occupant 38	Canaan Troix	15-Jul-14
Land occupant 39	Canaan Troix	15-Jul-14
Land occupant 40	Canaan Troix	16-Jul-14
Land occupant 41	Onaville	17-Jul-14

Land occupant 42	Onaville	17-Jul-14
Land occupant 43	Onaville	21-Jul-14
Land occupant 44	Onaville	22-Jul-14
Land occupant 45	Onaville	23-Jul-14
Land occupant 46	Onaville	29-Jul-14
Land occupant 47	Mozayik	1-Aug-14
Land occupant 48	Canaan Troix	1-Aug-14
Land occupant 49	Village des Pêcheurs	1-Aug-14
Land occupant 50	Onaville	1-Aug-14
Land occupant 51	Onaville	2-Aug-14
Land occupant 52	Onaville	2-Aug-14
Land occupant 53	Onaville	2-Aug-14
Land occupant 54	Onaville	3-Aug-14
Land occupant 55	Onaville	3-Aug-14
Community leader/land seller 1	Village des Pêcheurs	5-May-14
Community leader/land seller 2	Mozayik	11-Apr-14
Community leader 3	Village des Pêcheurs	8-May-14
Community leader 4	Village des Pêcheurs	8-May-14
Community leader 5	Village des Pêcheurs	8-May-14
Community leader 6	Village des Pêcheurs	8-May-14
Community leader 7	Mozayik	11-Apr-14
Community leader 8	Mozayik	11-Apr-14
Police 1	Croix-des-bouquets	12-May-14
Police 2	Croix-des-bouquets	12-May-14
Municipal authority 1	Croix-des-bouquets	13-May-14
Municipal authority 2	Croix-des-bouquets	13-May-14
Annex group 1	Village des Pêcheurs	28-Jul-14
Annex group 2	Village des Pêcheurs	28-Jul-14
Annex group 3	Village des Pêcheurs	28-Jul-14
Annex group 4	Village des Pêcheurs	28-Jul-14
Annex group 5	Village des Pêcheurs	28-Jul-14
Annex group 6	Village des Pêcheurs	28-Jul-14
Women's group 1	Village des Pêcheurs	28-Jul-14
Women's group 2	Village des Pêcheurs	28-Jul-14
Church leader 1	Canaan Troix	4-Aug-14
Church leader 2	Canaan Troix	4-Aug-14
Electricity group 1	Canaan Troix	23-May-14
Electricity group 2	Canaan Troix	23-May-14
School teacher 1	Village des Pêcheurs	22-Jun-14

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